



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-303306-18

Strategic Housing Development

438 no. apartments and 403 no. student bedspaces and amenity and staff facilities, crèche, 6 retail/commercial units, parking, public plaza and associated site works.

Location

Belgard House, Belgard Square and the former Uniphar factory, the junction of Belgard Road and Belgard Square North, Tallaght, Dublin 24.

Planning Authority

South Dublin County Council

Applicant

Atlas GP Ltd.

Prescribed Bodies

National Transport Authority
Inland Fisheries Ireland

Irish Aviation Authority

Irish Water

Transport Infrastructure Ireland

Observer(s)

Belgard Residents Association

Kingswood Heights Residents
Association

Tallaght Community Council

Bryant Park QIAIF

Date of Site Inspection

23 March 2019

Inspector

Una Crosse

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The application was received by the Board on 20 December 2018.

2.0 Site Location and Description

- 2.1. The site is located in Tallaght to the north of the Square and Belgard Sq. North and comprises an overall application site of 7.2 hectares of which the proposed development area within same, 3.45 hectares. The overall site is an amalgamation of three former commercial operations. The southern boundary adjoins Belgard Square North with the eastern boundary addressing Belgard Road. Immediately to the north is a retail warehouse park with the land to the west vacant with an apartment development, known as Exchange Hall further west and commercial buildings to the northwest. There are a number of access points to the overall site. There are two access points along the southern boundary including from an existing roundabout on Belgard Square North. There is an access to the north of the site from the Airton Road extension.
- 2.2. The site currently accommodates a number of buildings previously used for offices, industry and storage all of which are vacant with the sites secured by fencing. The area in the vicinity of the site comprises a variety of commercial and service uses. The site is within 400m of Tallaght Hospital to the west, the offices of South Dublin County Council, the Square shopping centre to the south and the TUD Tallaght to the east. There is a Luas stop (red line) c.400m to the south west.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development comprises what is described as Phase 1 of the overall development of the site with the proposed development comprising apartments, student accommodation, crèche and retail/commercial units within 5 blocks with a total floor area of 55,180 sq.m proposed as follows:

Table 1

Type of Unit	Number
Apartments	438 including 732 m ² of tenant/resident service amenity area
Live Work Units	8 L/W and 509 m ² of work area
Student Bed Spaces	403 bed spaces
Crèche	380 m ²
Retail/Commercial Units	6 units with total of 632 m ²

3.2. Breakdown of Apartments

Table 2

Unit Type	No. of Units	%
1-bed apartment	158	36
2-bed apartment	230	52.5
3-bed apartment	50	11.5
	438	

3.3. Blocks

Table 3

Block Number	No. of Res Units	Other Uses	Building Height
A1	88	298 m ² of residents amenities at GF which includes community/function room of 138m ²	4-7
A2	119	307 m ² of residents amenities at GF which includes community/residential amenity room of 201m ² Crèche at GF – 380 m ² with outdoor play area of 242 m ²	4-7

A3	116	127 m ² of residents amenities at GF; Combined heat and power plant – 225 m ²	4-10
B1	107	6 commercial units – 632 m ² 8 live work units, 509 m ² work element of L/W, 52 m ² security room	4-8
B2		403 bedspaces 815 m ² in ancillary facilities	6-9

3.4. Student Accommodation

3.4.1. The student accommodation block proposes 403 bedspaces within 65 clusters which comprise 10 studio, 10 four-bed, 1 six-bed, 15 seven bed and 29 eight bed clusters. It is also proposed to provide 815 sq.m of ancillary facilities which includes a common room, gym, study room, laundry room and reception/parcel station. Staff facilities are also proposed to include offices, kitchen and shower facilities which are all proposed at ground floor level.

3.5. Open Spaces

3.5.1. The development includes a public space referred to as a public plaza within the centre of the overall site which is 2,366 m² located to the north of proposed Block B1 within which it is proposed to provide multi-function outdoor uses and an amphitheatre/attenuation feature with an attenuation tank below ground with a multi-use games area. Two semi-private courtyards (1,410m² & 1,361m²) are proposed to serve Blocks A which are located at grade which include children's play spaces and cycle storage spaces. Block B1 includes a semi-private courtyard (1,495 m²) which includes a children's play space. Block B2 which accommodates the student bedspaces includes an amenity courtyard (1,250m²) for the use of the students. Both amenity spaces serving Blocks B1 & B2 are at podium level.

3.6. Connections, Public Realm and Works to Public Roads

3.6.1. It is proposed to provide a new street which runs north-south through the centre of the site which it is proposed will provide a future connection to the planned Airton Road extension. Blocks A1, A2 & A3 are proposed to the west of the internal north-south road and Belgard Sq. North to the south. Blocks B1 & B2 are proposed to the east of the new internal road addressing the Belgard Road to the east and Belgard Sq. North to the south. An internal road is proposed running east-west to the north of Blocks A1, A2 & A3 to the western boundary of the site. Additionally, an internal road is proposed running east-west to the north of Blocks B1 & B2 to Belgard Road boundary of the site. A new public realm is proposed along Belgard Sq. North and Belgard Road with the new internal streets proposed providing a public realm with a proposed public realm area of 7,442 m². Works to public roads include the removal of the existing roundabout at the intersection of Belgard Sq. North and Belgard Sq. East and its replacement with a signalised junction. Cycle lanes are proposed along Belgard Sq. North and a pedestrian crossing on Belgard Road north of the existing roundabout.

3.7. Access and Parking

3.7.1. It is proposed to access the site via the proposed signalised junction from Belgard Sq. North. A total of 129 spaces are proposed to serve the development with 107 parking spaces (incl. 3 car club spaces) proposed at grade level under a podium within Blocks B1 & B2 with 22 on street car parking spaces. It is proposed to provide a temporary car park area to the north of the 'A' Blocks with 108 spaces proposed for use by Blocks A to be removed when the 'B' Blocks are constructed. It is proposed to provide 1,227 bicycle spaces within secure shelters and storage rooms within the scheme and 20 bike club stands south of Block B2.

3.8. Servicing and Other Facilities

3.8.1. The development also provides for waste storage areas, plant rooms, green roofs, solar panels and ESB substations within Blocks A2, A3, B1 & B2. It is proposed to provide landscaping, a new public realm, boundary treatment, public lighting, servicing, excavation and site development works including piped services. It is proposed to provide boundary protection on site to facilitate the proposed phasing of the development. A combined heat and power plant is proposed at ground floor within Block A3.

3.9. Demolition

3.9.1. It is proposed to demolish a number of existing structures on site which include the 2-3 storey Belgard Sq., 3-storey Belgard House and 2-storey former Uniphar factory and 2-storey office building with security huts with a combined gross floor area of 30,018m².

3.10. Part V

3.10.1. It is proposed to deliver 44 units on site comprising 22 one-bed units, 18 two-bed units and 4 three-bed units.

3.11. Phasing

3.11.1. The proposal comprises the first phase of the development of a total site area of 7.2hectares. The proposed development is Phase 1 with Phase 2 proposed to comprise c.1100 units to the north of the subject development in c.13 blocks including a landmark 13 storey block. It is proposed, as part of Phase 1, to provide the essential infrastructure for the site including the main street layout and future connections, public open space, childcare facility and drainage infrastructure.

3.11.2. In terms of the phasing of the proposed Phase 1 it is proposed to commence demolition with an estimated period of 8 months anticipated with construction works proposed to commence with the internal access road, Blocks A and works to the Belgard Sq. North, and then Blocks B and internal road to the north moving east to Blocks B.

3.11.3. Permission is sought for 10 years.

3.12. Key Details

Table 4

Detail	Proposal
No. of Units	438 apartments (incl. 8 live/work units) <ul style="list-style-type: none">➤ 158 x one-bed➤ 230 x two-bed➤ 50 x three-bed 403 student bedspaces in 65 clusters

Site Area	3.45 ha of overall site of 7.2 hectares
Gross floor area	55,180 m ²
Area of demolition	29,918 m ²
Density	146 units per/ha based on total of 503 units (438 apartments & 65 student clusters)
Plot Ratio	1.59
Site Coverage	37%
Building Height	4-10 storeys
Public Open Space	2,366 m ² public plaza (excl. proposed public realm)
Car parking	129 (107 podium level of Blocks B, 22 surface) 108 temporary spaces proposed north of Blocks A.
Dual Aspect Apt's	37%
Bicycle Parking	1,227
Crèche	380m ²
Part V	44 units

3.13. Documentation Submitted

In addition to the drawings, form, notices and copies of letters the application was accompanied by the following reports:

- EIAR;
- AA Screening Report;
- Socio-Economic Reports including Social economic assessment report, School capacity assessment report and Social Infrastructure Audit Report;
- Planning Statement of Response to ABP Opinion
- Planning Report
- Material Contravention Statement

- Statement of Consistency
- Architectural Design Statement
- Schedules of Accommodation
- Masterplan Document
- Architectural Response to ABP Opinion
- Daylight and Suncast Report;
- Glint and Glare Assessment
- Civil Engineering Response to ABP Opinion
- Engineering Services Report
- Site Specific Flood Risk Assessment;
- Student Management Plan;
- Operational Waste Management Plan;
- Construction and Demolition Waste Plan;
- Construction Management Plan and Phasing Plan;
- Road Safety Audit;
- Traffic Impact Assessment
- Mobility Management Plan;
- Utility Site Infrastructure Report
- Building Life Cycle report and Estate Management Strategy;
- Photomontages and CGI's;
- Tree Survey Report
- Landscape Design Rationale Report;
- Wind and Microclimate Modelling Report
- Energy Efficiency and Climate Adaption Report
- Accessibility Planning Report

- Fire Safety Strategy

4.0 Planning History

4.1. On Site

Ref. SDA18A/0094 – Application for demolition of all existing buildings on the site ranging from one to three storeys in height and the removal of hardstanding throughout. Provision of site boundary protection where required and all ancillary site works. At this site of 6.87 hectares, approximately, at a combined site - the sites are known as Belgard House, Belgard Square and the former Uniphar factory and are generally bounded to the east by Belgard Road, to the south by Belgard Square North, to the west by vacant land and commercial buildings and to the north by the Belgard Retail Park – Withdrawn on 11 December 2018

4.2. Permissions of Interest

Ref. SD188/0010 – A Part 8 scheme was granted by the Council for a new Energy Centre to provide for a future district heating network for the South Dublin Heating Scheme for Tallaght. It is noted that the recommended pipe route for Phase 1 of the underground distribution network passes inside the eastern and southern boundary of the site and facilitates provision of district heating infrastructure to the proposal.

5.0 Section 5 Pre Application Consultation

5.1. Notice of Pre-Application Consultation Opinion – Ref. ABP-301909-18

A notice of pre-application consultation opinion was issued by the Board on 10 August 2018 under Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016 following the submission of the application request in June 2018.

The notice of Pre-Application Consultation Opinion states that the Board has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The matters included are as follows:

1. Further consideration/amendment of the documents as they relate to the provision of car parking and mobility management within the proposed development. The documentation submitted at application stage should provide a robust rationale for the amount of car parking that is proposed. This should have due regard to the pattern of demand for travel that is likely to arise the occupation of the proposed development, as well as to the likely demand from households to have access to private transport even where it does not provide the primary mode for travel to work or school. The documentation should also take proper account of the prospective future development of the rest of the site, and to the prevailing patterns of car ownership in the area, whereby circa 87% of households in the county and circa 73% of households in the electoral division where the site lies reported having at least one motor car at the last census.

2. Further consideration of the documents as they relate to the standard of amenity that would be provided to the occupants of the proposed development. The documentation submitted at application stage should be sufficient to demonstrate that the proposed apartments and student accommodation would be provided with sufficient internal accommodation, privacy, daylight and sunlight, and private and shared open space, and that they would comply with the applicable requirements of the development plan and the apartment design standards issued in 2018, including its Specific Planning Policy Requirements.

3. Further consideration of the documents as they relate to the detailed design of the proposed development. The documentation submitted at application stage should demonstrate that the external finishes, materials and detailing of the proposed buildings and that the landscaping and surface/boundary treatments of the streets and outdoor spaces would be of a sufficient quality to ensure that the proposed development made a positive contribution to the character of the area over the long term.

4. Further consideration/amendment of the documents as they relate to the provision of cycle facilities. The documentation submitted at application stage should demonstrate that the cycle facilities along streets are designed in accordance with the National Cycle Manual and that they provide an acceptable quality of service with continuity and suitable priority across junctions; that they avoid conflict between cyclists and pedestrians; and that they allow access to destinations on both sides of

the street for cyclists. Segregated facilities should only be provided where the criteria set out at section 1.7 of the manual have been met. The documentation should show cycle parking in secure and convenient locations across the development to meet the needs of occupants and visitors and in various formats that are accessible and easy to use by cyclists with the range of physical capacities that would be expected in a residential scheme. The documentation should indicate how the amount of cycle parking would comply with the relevant guidance set out in the development plan, section 5.5 of the National Cycle Manual and section 4.15 of the apartment design standards.

5. Further consideration/amendment of the documents as they relate to the phasing of development on the site and its integration with the development and regeneration of the town centre. The documentation should indicate the timeframe in which the proposed development would proceed and that the infrastructure required to support and facilitate development on the rest of the application site and on neighbouring land was provided in a timely manner. The documentation should also demonstrate that the layout and design of the development would be compatible with the proper and sustainable development of adjoining land.

6. Further consideration of the documents as they relate to water supply and drainage infrastructure. The documentation submitted at application stage should be sufficient to demonstrate that the proposed surface water infrastructure would be adequate to cater for the proposed development and whether the council had indicated its agreement or otherwise to the proposals in this regard.

In addition the Board requested the following specific information:

1. A mobility management plan, which would include specific and quantifiable measures to facilitate the demand for travel and for parking arising from the development including, as appropriate, proposals to provide access to off-site car parking facilities for residents of the proposed apartments, and information as to where the responsibility would lie for the ongoing implementation of each measure.
2. An analysis, prepared by suitably qualified persons, of the impact of the proposed development with regard to daylight/sunlight and microclimate. The analysis should demonstrate the impact of the development on adjoining streets and lands, and well as the standards achieved within the proposed apartments and student

accommodation, in private and shared open space, and in public areas and streets within the development.

3. A plan for the ongoing management of the proposed development and the upkeep of its amenities, including a building life cycle report under section 6.13 of the 2018 Apartment Design Guidelines.

4. A report prepared by a suitably qualified and competent person demonstrating specific compliance with the requirements set out in the Design Manual for Urban Roads and Streets and the National Cycle Manual for all streets, including the revised junction to replace the roundabout on Belgard Square North and the proposed crossing of the Belgard Road.

5. Details as to how the proposed development would facilitate existing and proposed bus services in the area, with particular reference to the proposals made by the NTA for the BRT project and BusConnects.

6. Details of any measures required to prevent interference with aviation, in particular the use of the helipad at the hospital at Tallaght.

7. Proposals with compliance with Part V of the Planning and Development Act, 2000 (as amended).

5.2. Applicant's Statement

Article 297(3) of the Regulations provides that where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

The applicant's response is outlined in a series of documents as follows:

- Planning Statement of Response to ABP Opinion (TPA)
- Architectural Response to ABP Opinion (OMP)
- Civil Engineering Response to ABP Opinion (OCSC)

They are summarised as follows:

5.2.1. Item 1

- Response to ABP Opinion to be read in conjunction with submitted TIA and Mobility Management Plan to provide comprehensive rationale for provision of car parking and mobility management.
- Noted that existing level of car ownership within County and Electoral Division is reasonably high, however given rural nature of much of the County which extends significantly into the Dublin Mountains, submitted that higher proportion of car ownership is unavoidable due to reduced availability of public transport options.
- Much of housing stock within Electoral Division (ED) of Tallaght-Springfield comprises suburban semi-detached housing with in-curtilage parking, which pre-dates the high capacity Luas line resulting in a greater challenge in terms of reducing car dependency and shifting towards more sustainable modal transport.
- Considered appropriate to examine the Small Areas within the Tallaght-Springfield ED, which are more comparable to the proposed development in that they comprise higher density, apartment development within close walking distance of Tallaght Town Centre and high quality public transport.
- Traffic Impact Assessment (TIA) provides a detailed breakdown of 11 Small Areas, which surround the subject site and finds that households that do not own a car ranges between 8% - 49% with small area which is most comparable to subject site (size and location) having lowest level of car ownership.
- TIA emphasises that existing car ownership rates are considered to represent a worst case scenario as these are without benefit of incorporation of specific measures to reduce car ownership and measures to facilitate a positive modal shift to sustainable transport use.
- Note that car ownership does not equate to frequent car use and noted that majority of residents commuting in local area do so by means other than private car resulting in majority of cars remaining at home and used only for more infrequent trips.
- Proposed to meet this infrequent trip demand by provision of 3 car club scheme cars located permanently within the scheme facilitating one off trips which require a car e.g. bulky shopping.

- Management Company responsible for effective and safe management of parking within the site with proposed 107 spaces within podium allocated to those residents who have opted to rent a parking space, giving opportunity for residents who find they no longer have a need to rent a space to end their lease.
- 22 on street spaces dispersed at grade throughout scheme and used for short term parking and set down / drop-off with Management Company responsible for managing use of these spaces and a detailed management scheme will be clearly communicated to all prior to occupation of the scheme.
- Many of main destinations which future residents are likely to need to access in terms of employment and recreation are located within easy walking distance of the subject site including Tallaght University Hospital, The Square Shopping Centre, Institute Technology Tallaght and South Dublin County Council with a number of additional major employment hubs located in close proximity including the Lidl Headquarters, RUA Red South Dublin Arts Centre, Roadstone Ltd – Belgard, Maldron Hotel Tallaght and a large number of retailers and service providers.
- Additional measures to reduce dependency on private car ownership include significant quantum of cycle parking with a total of 1,227 spaces provided within secure and accessible areas for use of residents and visitors with a full breakdown of how spaces are allocated in TIA and Mobility Management Plan. Applicant is in advanced discussions with a local Bicycle Club operator and 20 club bicycles are proposed within the plaza to the south of the Student Accommodation block, which will be easily accessible to residents and visitors.
- Site represents one of best suited locations for provision of a near car-free development and envisioned that proposal will comprise a landmark development in terms of sustainability and this will be communicated at all points in the marketing process in order to ensure that prospective residents are fully aware that private car ownership will not be facilitated for all residents which is in line with the 2018 Apartment Guidelines, which permit 'car-free' developments provided this is fully communicated within sales and marketing processes.

Item 2

Internal Accommodation

- Detailed Housing Quality Assessment (HQA) sets out residential floor areas required including overall area, storage spaces and private amenity space.
- Specific Planning Policy Requirement 3 (SPPR 3) of Apartment Guidelines provides for minimum apartment floor areas with the HQA demonstrating that in all cases, the minimal requirements as set out in SPPR 3 are met, and in many cases exceeded.
- 52% of apartments exceed 10% additional floorspace requirement as required by Apartment Guidelines.

Privacy

- All apartments orientated to ensure that no overlooking occurs and that sufficient distances are provided between opposing windows with separation distances of between 30 and 45m provided throughout the scheme.

Daylight and Sunlight

- Daylighting and Suncast Report demonstrates that access to daylight is very positive throughout the scheme with all 4 courtyards within the scheme receiving adequate levels of sunlight on the 21st March with access to sunlight increasing as the months progress.
- 80% of habitable rooms within scheme meet average daylight factor targets as set out by BS 8206-2:2008: Lighting for buildings - Part 2: Code of practice for daylighting which exceeds international environmental assessment standards which include BREEAM, which targets a figure of 80% and LEED, which targets a figure of 75% in order to award a credit under the daylighting criteria but is acknowledged that a proportion of rooms do not meet the ADF target.
- In line with daylight provisions of Apartment Guidelines (pg 34) submitted that requirement to ensure sustainable use of this prime, zoned site, necessary to provide for higher buildings with result that buildings on the lower floors have reduced access to natural daylight.
- Desirability to retain a low site coverage (through generous public realm and open spaces) requires that density be provided via higher buildings which reduces the ability to achieve 100% compliance with ADF targets.

- Scheme fully compliant with stated international standards which demonstrates that development has ‘maximised the daylight’ for the occupied spaces and therefore there is sufficient justification for levels of daylighting achieved.

Private and Shared Open Space

- All apartments are provided with a private amenity space in the form of a terrace, balcony or wintergarden which meet or exceed private open space requirements with a number of apartments provided with very generous balconies availing of views;
- Communal open space is provided throughout scheme and will be easily accessible to all residents with proposal significantly exceeding the requirement with 4,266 sqm of communal open space provided within Courtyards A1, A2/A3 and B1.
- Residents internal amenity space provided at ground floor within Blocks A1, A2 and A3 amounting to c.732 sqm in total and facilitating a range of uses including resident’s lounge, multi-use function room and work spaces;
- No standard in place for provision of communal open space for student accommodation with a courtyard of 1,250 sqm provided which equates to 3 sqm per student with c.815 sqm of internal communal space provided for use of student residents which results in a total of 5.1 sqm per student.
- Detailed design rationale for communal open space provision provided in Landscape Design Rationale.

Item 3

External Finishes, Materials and Detailing

Number of design changes in respect of external finishes, materials and detailing undertaken following the receipt of the ABP Opinion with summary of the issues raised and response outlined;

- a) Massing and treatment to proposed 10 - storey ‘gateway’ building in Block A3 at junction of Belgard Square North and proposed new North/ South access avenue.

- Previously proposed 12 storey element of Block A3 reduced to 10 storeys in height with an amended sculptural form at upper levels with a light filigree top to reduce potential for visual bulk.
- 7 storey height from blocks A1 and A2 form the 'shoulder' to block A3 on corner which provides a continuous rhythm and continuity along the street.
- 10 storey 'gateway' element is setback from the 7 storey element and emerges from this form as a 9 storey brick volume with a light metal clad penthouse level on top with a line of winter gardens provided along its eastern façade to create a strong visual marker and help accentuate the corner while marking main access point into the development.
- Brick grid pattern extended around the sides of each of blocks A1, A2 and A3, which breaks up the façade and adds visual interest. Secondary windows are introduced within this grid to animate sides and facilitate passive surveillance along the street.

b) Refined frame support detail to balconies on 4 – storey elements along with revised balcony treatment illustrating a combination of vertical railing and solid side aluminium panel.

- Balcony detail and treatments facing onto Belgard Square North refined to provide improved privacy for residents, mitigate noise levels and create an improved public realm.
- On 4 storey elements, all projecting balconies are supported by a steel frame and are provided with a 50% solid face finished in a grey aluminium panel which acts as a partial screen for residents' laundry. All private amenity space on the taller 7 storey elements are inset terraces within the form of the building.

c) Additional 2 floors added along Western edge of student accommodation block.

- To improve consistency in height and scale an additional 2 floors of accommodation added to the West wing of student accommodation block improving sense of enclosure to central student courtyard at podium level and improving sense of presence onto public street.

d) Massing, setback and material treatment to the top 7th and 8th floors of Block B2 student accommodation at junction with Belgard Road.

- Top 2 levels provided with change in material and fenestration treatment in order to give a subtle variation and emphasis to building top signifying its importance as a 'Landmark' building at prominent junction between Belgard Square North and Belgard Road. A lighter render finish is provided with a rhythm of recesses infilled with a gold/ bronze metal panel and glass system to create an elegant double height emphasis.

e) Introduction in variety of finishes and treatments.

- Overall intention to provide a strong built form characterised by use of brick to address the public realm and create an enduring and long lasting aesthetic. Two types of different brick finishes provided to apartment blocks, with red brick defining the principle 7 storey facades addressing Belgard Square North, creating a strong rhythm along the street and a lighter tone, in a more buff colour brick used on the 4 storey setback areas to provide variation. A darker brown brick is proposed to distinguish the student accommodation block and help give it a unique identity on the corner, separate to the residential apartments. A mixture of grey and bronze metal panelling is introduced to provide additional richness in material and variation. A render finish is predominantly used on the inner courtyards to provide a lighter aesthetic and to facilitate brighter communal amenity spaces.

f) Landscaping and Scheme Management

- Landscaping led approach to the scheme, significant green roof provision is facilitated for each block, higher roofs provided with extensive sedum roofs, lower roofs provided with intensive green roofs, planted with a range of plants and soft landscaping. Roofs will not be publicly accessible but provide high quality visual amenity when viewed from upper residential storeys.
- Significant consideration given to creation of an exemplary urban quarter, which will be inviting and easily enjoyed by a wide range of persons.
- Central public plaza will act as a focal point for the scheme with a range of benches and seating options, multi-use space and high quality planting.

- Comprehensive overview of the maintenance and cost considerations of proposed materials is provided within the Building Lifecycle Report and Estate Management Strategy.

Item 4

- Detailed overview of design and provision of cycle facilities within the scheme in Response to ABP Opinion OSCS report and TIA;
- All cycle facilities designed in accordance with National Cycle Manual (NCM) and in consultation with NTA and SDCC and a detailed overview of cycle lane design throughout the scheme provided.
- Cycle parking provided in secure, convenient locations within bicycle storage areas, building blocks or the internal courtyards.
- 1472 spaces required and 1227 spaces proposed, 75% provision of cycle spaces required by Apartment Guidelines and noted that deviation from required standards shall be at the discretion of PA and subject to adequate justification.
- Based on existing modal split within the area, availability of public transport and close walking distance from the site to key destinations, 75% provision of cycle parking considered appropriate.
- Cycle parking for student accommodation compliant with Development Plan standards.
- Nature and range of cycle space options available to residents proposed to provide a number of different options suitable for different users, ages and ability.
- Spaces allocated for student accommodation residents will be higher density stacked versions (suitable for higher mobility users) with residential blocks having a greater proportion of traditional Sheffield stand arrangements.

Item 5

- Design team has ensured that development compatible with proper planning and sustainable development of adjoining land, and wider area, through establishing a 'Masterplan' approach to the site development;
- Masterplan approach takes full cognisance of Phase I and Phase II proposals, in addition to development potential of adjoining SDCC land to west with proposal

designed as a result of masterplan approach in line with ongoing discussions with SDCC to ensure no conflict with future development of their lands.

- Detailed Construction Management and Phasing Management Plan provides an analysis of proposed demolition and building out works for the development which is expected to have a final completion date of Q4 2021 with a phasing programme provided.
- Phase I construction process split into 5 stages commencing with southern portion of the primary north-south street, an important site and area objective with Applicant proposing to deliver this road within three years of commencement of construction.
- Design proposals for phase II well advanced and anticipated that planning approval will be in place during Q2 2019 with a revised phasing plan put in place for phase II proposal but likely to be some construction synchronicity between both schemes.
- Overall construction build time of seven years expected for full 7.2 hectare site to deliver c.1,500 residential units, student accommodation scheme, childcare facility, community centre, public plaza and commercial units with no additional infrastructure outside of proposed as part of subject planning application is required to facilitate the proposal.
- Cognisance had to external local proposals, which may integrate with the proposed scheme including the Cookstown Extension Road recently approved under Part 8 process and BusConnects programme.
- OCSC met with the Council's Cookstown Extension Road design team and agreed interfaces between the Part 8 road through the SDCC site and connecting to the proposed scheme and liaised with NTA to accommodate the BusConnects programme on Belgard Square North.
- Long term roads objective located north of subject site, known as the Airtown Road Extension with exact route of new road not yet been determined by SDCC and direct discussion between SDCC and land owners along route due to commence in the near future.

- Proposal unaffected by Phase I scheme and design of Phase II site is progressing based on a layout that would accommodate different scenarios which will allow for delivery of the road.
- Applicant continues to engage with SDCC regarding proposed HeatNet project which intends to develop a pilot 4G (fourth generation) district-heating network linked to waste-heat generated from the new data-centre on Belgard Road (Part 8 approved December 2018) with applicant providing letter of consent to SDCC for inclusion of pipes which traverse the subject site within Part 8 consultation and continues to support the project subject to detailed design and agreement to ensure no conflict with services or structures associated with the proposed scheme should permission be granted for both the subject proposal and the Heatnet project.

Item 6

- OCSC met SDCC Water Services (most recently on 14th August 2018) to discuss and agree water supply and drainage infrastructure proposals for the application with further subsequent discussions, (email and telephone correspondence), taking place in order to clarify the proposed surface water drainage design strategy.
- Submitted documentation relating to surface water drainage shows that 3 separate drainage catchments are proposed;
- Design approach used in determining attenuation volume part of an overall integrated drainage network, comprising intensive green roofs, extensive green roofs, bio-retention strips with filter drains under, as well as conventional pipe and underground storage system.
- Concern of SDCC relating to potential undersizing of the proposed attenuation system was resolved via further correspondence from OCSC which further explained the design methodology of applying a runoff coefficient of 0.84 (winter) and 0.75 (summer) for hardstanding and landscaped areas, while using a Time Area Diagram input for green roof areas, as opposed to reduced runoff coefficient.

- Catchment overview table provided demonstrating that attenuation system and drainage proposal was acceptable and no further clarification was requested.
- Irish Water have provided confirmation of feasibility and Statement of Design Acceptance.

5.2.2. Specified Information Requested

The following information was specifically requested with the response to same outlined by the applicant:

1. A Mobility Management Plan

Mobility Management Plan has been prepared by OCSC.

2. An Analysis of the impact of the Development in terms of Daylight / Sunlight and Microclimate

Daylighting and Suncast Report prepared by JV Tierney and a MicroClimate Assessment Report prepared B-Fluid.

3. Estate Management and Building Life Cycle Report

Estate Management and Building Life Cycle Report prepared by Aramark.

4. Report Demonstrating Compliance with the Design Manual for Urban Roads and Streets and the National Cycle Manual

Engineering Services Report and TIA prepared by OCSC and demonstrate compliance with DMURS and the National Cycle Manual.

5. Details of compatibility with the BRT Project and BusConnects

Engineering Services Report and TIA prepared by OCSC and demonstrate compliance with DMURS and the National Cycle Manual.

6. Details of measures to ensure aviation safety

Glint and Glare Assessment undertaken by MacroWorks with an overview of the correspondence between Marlet and The IAA, TUH and the Air Corps provided (see Appendix C of the Planning Application Form).

7. Part V proposals

Copy of the Part V proposals including a schedule of accommodation and indicative costings with a letter from SDCC stating acceptability in principle of the proposal enclosed.

6.0 Relevant Planning Policy

6.1. Project Ireland 2040 - National Planning Framework

- 6.1.1. The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

6.2. Section 28 Ministerial Guidelines

- 6.2.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- 'Design Manual for Urban Roads and Streets'
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities – 2018
- Urban Development and Building Height Guidelines 2018
- 'Childcare Facilities – Guidelines for Planning Authorities'

The following documents are also considered relevant:

- Dept. of Education and Skills ‘National Student Accommodation Strategy’ (July 2017)
- Dept. of Education and Science ‘Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999’ (1999).
- Dept. of Education and Science ‘Matters Arising in Relation to the Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999.’ (July 2005)

6.3. County & Local Planning Policy

6.3.1. The **South Dublin County Development Plan 2016-2022** applies. The site is zoned under objective REGEN. The following policies are highlighted:

- CS2 Objective 4 – promote and support the regeneration of underutilised industrial areas within areas designated with zoning objective Regeneration (REGEN);
- CS2 Objective 6 – promote higher residential densities at appropriate locations, adjacent to town centres or high capacity public transport nodes (Luas/Rail);
- Policy CS6 LAP’s – to prepare LAP’s as appropriate and prioritise areas likely to experience large scale residential or commercial development or regeneration;
- Policy H4 Student Accommodation – policy of the Council to support provision of accommodation for third level students in the campus of third level institutions or at other appropriate locations proximate to centres of third level education.
- Policy H6 Sustainable Communities – support development of sustainable communities and ensure new housing development is carried out in accordance with Government Policy in relation to housing and residential communities;
- Policy H7 Urban Design in Residential Developments – ensure new residential development within the County is of high quality design and complies with Government guidance on design of sustainable residential development;
- Policy H10 Mix of Dwelling types – ensure wide variety of housing types, sizes and tenures;
- Policy H8 – residential densities – promote higher densities at appropriate locations;

- H8 Objective 4 – support proposals for more intensive enterprise and/or residential led development within areas designated for Regen subject to design safeguards;
- Housing Policy 9 – residential building height – seeks to support varied buildings heights across residential and mixed use area
- H9 – Obj. 1 seeks to encourage varied building heights in new residential developments;
- H9 Obj. 4 – direct tall buildings that exceed 5 storeys in height to strategic and landmark locations in Town Centres, MU zones and SDZ's;
- Policy C1 community centres – ensure all communities have access to multifunctional community centres that provide a focal point for community activities;
- Economic and Tourism (ET) Policy 2 Enterprise and/or residential led development in regeneration zones – support regeneration of underutilised industrial areas proximate to urban centre and transport nodes to promote and support more intensive compatible employment and/or residential led development in regeneration zones;
- ET2 Obj. 1 – support consolidation or relocation of existing employment uses in Regen zones and upgrade of these areas to create opportunities for regeneration;
- ET2 Obj. 3 – support proposals for incubator, starter and/or live works units on Regen lands;
- Policy TM7 – Transport and Mobility – policy of Council to take a balanced approach to provision of car parking with aim of meeting the needs of businesses and communities whilst promoting a transition towards more sustainable forms of transportation. Number of supporting objectives (TM7 Obj.1) which seek to carefully consider the number of parking spaces provided to service needs of new development.
- Table 6.5 outlines 6-year road programme including north-south link from Belgard Sq. North to Cookstown Estate Road (Part 8 approved), east-west link from

Belgard Rd to Cookstown Estate Road (Airton Rd. Extension, North-south link from Belgard Sq. East to Airton Road Extension);

- 6.3.2. A local area plan for Tallaght town centre was adopted in 2006 and expired in 2016. It is stated that work has been commenced on a draft LAP for Tallaght Town Centre and anticipated that the draft plan will be on public display in spring 2019.

6.4. **Applicants Statement**

- 6.4.1. The applicant's statement of consistency with relevant policy required under Section 8(1)(iv) of the Act and the Material Contravention Statement are summarised in turn as follows:

- Proposal with a net density of 146 units p/h (based on 65 student clusters and 438 apartments net site area of 3.45 ha.) located c.400m from high quality public transport infrastructure, providing an appropriate mix of unit types and sizes, substantial open space, considered consistent with vision and strategies in the Core Strategy;
- Long term road objective bisecting the site is proposed to be provided with a second long term road objective located to the north of the site, to be partially provided as part of Phase II application;
- All uses proposed within site are Permitted in Principle under Regeneration zoning;
- Not proposed to provide mix of houses and apartments given significant quantum of traditional housing stock within Tallaght and need to accommodate higher densities, a scheme providing for a mix of apartment typologies will contribute to overall residential mix within wider area and facilitate a range of household sizes;
- Applicant agrees to accept a condition which requires entering into Part V agreement with SDCC as per requirements, prior to commencement of development;
- Density of 146 units p/h considered appropriate with regard to proximity of site to excellent public transport links and recent national policy guidance which emphasises importance of higher density developments at strategic locations;

- Generous provision of public open space provided in compliance with Development Plan requirements with 10% of site dedicated to public open space with public plaza forming primary public amenity space and a focal area for residents to meet and relax with 7,442 sq.m of new public realm along roads/streets, with wide footpaths and cycle lanes, tree planting, sustainable urban drainage, high-quality paving, cycle parking and seating;
- Public events facilitated, performances and public markets and provided in phase I of overall masterplan site;
- Layout and block design of scheme ensures passive surveillance of public spaces maximised with location of amenity spaces which overlook and accessed from Belgard Square North greatly improving visibility on a road with current poor surveillance with adequate separation distances provided between blocks with privacy strips providing additional screening for ground floor apartments;
- CDP policy to support provision of accommodation for third level students in the campus of third level Institutions or at other appropriate locations that are proximate to centres of third level education with 403 bedspaces proposed;
- CDP supports and encourages provision of ground floor live-work units as part of mixed use and residential developments in appropriate locations, as a means of enlivening streets and to provide flexible accommodation for small businesses with 8 Live/ Work units proposed accessed from new central north-south street with these compatible with Regeneration zoning of site and will encourage new businesses and start-ups;
- Redevelopment of brown field urban site contributes to compact growth and submitted that proposal is consistent with objectives of NPF in seeking to consolidate and densify an urban area proximate to primary transport routes.
- Proposal consistent with requirements of Height Guidelines (See below in terms of Material Contravention);
- Proposal fully compliant with intentions of Draft RSES as proposal will regenerate a vacant brownfield site proximate to Tallaght town centre and within a short walking distance of Luas red line;

- Apartment Guidelines provides site location considered to be a 'Central and/or Accessible Urban Location' as defined in Apartment Guidelines:
- Site within a 15 minute walktime of both Tallaght University Hospital (TUH) and Institute of Technology Tallaght (ITT) (now TUD), Tallaght Town Centre and 500m from terminus for Red Line Luas and within easy walking distance of high frequency bus services located on Belgard Sq. North and Belgard Rd and adjacent to a new route identified within the *BusConnects* plan;
- 37% of proposed apartments benefit from dual aspect which accords with requirement in *Apartment Guidelines* that at least 33% of apartments in Central / Accessible areas be delivered as dual aspect;
- c.0.25 parking spaces per unit proposed below podium between Blocks B1 and B2 with reduced level of parking as supported by Section 4.19 of Apartment Guidelines for schemes located in central and/or accessible urban locations and given high quality public transport infrastructure available in local area, planned infrastructure delivery (*BusConnects*, Metro West), site represents ideal location within the County for a scheme with reduced car parking provision;
- 1,227 bicycle spaces proposed with Apartment Guidelines requiring 988 spaces Development Plan standards would require just 132 spaces with Guidelines not providing figures for student accommodation developments, whereas Development Plan requirements would result in a need for 484 no. spaces;
- Significant population of residents will continue to use public transport or walk, assumption of a 100% modal share for bicycle parking unrealistic leading to vacant bike parking spaces and proposed to provide 75% of targeted residential bike parking as set out by the Guidelines (741) and to provide 100% of student accommodation requirement as per the Development Plan requirements (484) which is considered appropriate given sites' location within easy walking distance of public transport and major employment locations.
- Provision proposed for bike club schemes within site.
- Proposal provides for a density of c.146 units p/h, adjacent to existing good quality public transport and future planned infrastructure considered consistent with vision and objectives of Transport Strategy for the GDA;

- DMURS notes that permeable layouts provide more frequent junctions which have a traffic calming effect as drivers slow and show greater levels of caution with site layout demonstrating that proposal has adopted this principle with connectivity and permeability encouraged throughout the development and linkages to planned Airton Road extension and adjoining areas proposed to encourage and improve connectivity in wider area;
- DMURS measures to reduce dominance of vehicles in favour of pedestrian and cyclists having dominance within the street incorporated;
- SSFRA prepared to comply with recommendations of *The Planning System & Flood Risk Management - Guidelines for Planning Authorities* finds that the site is located within Flood Zone C with proposal acceptable in principle;
- Residential Development Guidelines note usefulness of Architectural Design Statements (O'Mahony Pike Architects) submitted with application;
- 12 criteria in Urban Design Manual informed all stages of proposal, from original design concept through design iteration and consultation to subject final proposal with approach to site layout and landscape masterplan prioritising a clear hierarchy of streets and spaces with high quality landscaping and range of civic spaces;

Material Contravention Statement refers to proposed Height

Conflicting Development Plan Policies

- Development Plan provides number of policies and objectives which seek to provide higher residential densities and ensure efficient use of zoned lands contrary to height limitations imposed by H9 Objective 4 of Development Plan;
- Policies seek to increase densities within appropriate locations which cannot be fully achieved where there are co-existing limitations on height within Development Plan as per H9 Objective 4;

National Policies and Guidelines

- Number of National Planning policy documents and Section 28 Guidelines have been published recently which seek to increase residential densities on zoned serviced lands adjacent to high quality public transport corridors;

- NPF identifies need to consolidate development in existing urban areas in order to meet housing needs of growing population;
- National Policy 13 and 35 refer to building height and car parking being based on performance criteria and increasing density through area or site based regeneration and increased building height;
- Clear from above that increasing densities of residential developments is a clear strategy of NPF and that increased heights are seen as a primary mechanism in achieving this;
- Design Standards for New Apartments Guidelines for Planning Authorities build upon provisions of NPF in signalling a move away from blanket restrictions on heights in certain location in favour of an evidence based approach based on performance criteria;
- Apartment Guidelines provide clear guidance with regard to types of location considered suitable for higher density developments that may wholly comprise apartments, referred to as Central and/or Accessible Locations and clear that subject site meets all identified criteria for such developments;
- Building Height Guidelines state appropriate to support heights of at least six storeys at street level with scope for greater height subject to design parameters which is contrary to t5-storey height limitation in Development Plan;
- Guidelines reference that some Development Plans have set out overly restrictive maximum heights limits which lead to development being displaced to less suitable locations resulting in lost opportunity for key urban areas with examples of locations with potential for comprehensive development to accommodate a cluster of tall buildings including brownfield former industrial districts with site representing a serious underutilisation of zoned and serviced land within a town centre environment;
- Guidelines include criteria against which proposals for taller buildings assessed for suitability and clear that proposal aligns with identified criteria which include proximity to good public transport, positive contribution to placemaking and legibility, maximising access to daylight and avoidance / mitigation of micro-climatic effects;

- Considered important to apply contents of Height Guidelines to proposed development as they reflect intention of National Policy to move towards higher density developments in interests of sustainable development;
- Development of strategic residential sites should ensure that higher densities are delivered with restrictions on allowable building heights, such as provided by Development Plan clearly in conflict with objectives for higher density development.

7.0 Observations Received

Four submissions were received by the Board which are summarised as follows:

7.1. Belgard Residents Association

- Accept must build up instead of out, ten storeys should not be granted approval in area of predominately traditional housing such as Tallaght with a much more nuanced approach to urban development needed to address housing crisis;
- For well-balanced approach to housing, urgently need a new LAP for Tallaght Town Centre with CDP promising same but not even in Draft form;
- Only significant change in CDP for Tallaght Town Centre was to rezone Cookstown Industrial Estate for residential and/or enterprise development with SDCC giving no official indication of what kind of housing and what kind of enterprise they have in mind resulting in scramble of private developers to build high rise apartment blocks but no enterprise with development described as a mixed use development with no mention of enterprise;
- Proposed population within overall development of 1989 persons with overall site accommodating c. 4,000 people in 17 acre site and if pattern of development extended into Cookstown Ind. Estate/Belgard Retail Park c.35,000 people within 120/130 acres with quality of life negatively impacted leading to social breakdown, transient tenants and rise in anti-social behaviour;
- Cookstown will be targeted for high rise development using subject site as precedent with permission granted on Pymont site for 7 storeys and application for pre-application consultation to ABP for 10 storeys;

- List of 23 dispersed schools provided with dispersal not good and raises doubts about value of other reports on other issues;
- Applicant have referenced high-rise development at Belgard Sq. as precedent for proposal so subject proposal not just about this site but Cookstown area as a whole with no LAP for area with no plan for orderly coherent development in Cookstown with no vision and strategy;
- Emerged from reports at pre-planning that application site will be linked to the future of Cookstown Ind. Estate but local community faced with developer driven ad hoc building projects some of which offer a quick fix;

7.2. **Kingswood Heights Residents Association**

- Object on grounds of density and impact on traffic and amenities in area;
- Density of development beyond anything else in area and residents association understand and support need for more housing, in particular housing suitable for families, high density and others such as apartment development in Cookstown Industrial Estate not considering the type of accommodation needed for families;
- Proposed 841 dwelling (to be 1500 with Phase 2) will put a strain on transport system as Tallaght and particularly Belgard Road has an existing problem with traffic at peak times, with Luas as capacity at peak times;
- Request that these issues and impact on existing communities and need for housing for families are considered;

7.3. **Tallaght Community Council**

- Mix of apartment sizes wrong, contradicts developer's socio-economic assessment with requirement for 66% of apartments to be 3-bed and 11% to be 4-bed (typo noted on page 6 of planning report), number of 1-beds excessive;
- 4 or more person families make up 36% of families in 13 electoral districts measured in socio-economic assessment with 1, 2 & 3 person household 65% of household types with proposed unit mix contradicting requirements of socio economic assessment and request greater distribution and larger units based on requirements with what is proposed already available in Tallaght and a failed model;

- Density of 146 p/h excessive with no similar precedents in Tallaght and presenting student clusters as a single dwelling gives a false impression, each bedspace should count as one dwelling providing density of 244 p/h and consider density should be viewed as intensity of land use with 1251 bedrooms or 363 bedrooms p/h, out of character with Central area of London Zone 1 having a residential density of 400-850 p/h;
- Proposed height considered too tall and do not comply with CDP or expired LAP with buildings over scaled and too tall for subject site and request Board review 4-6 storey height context in pre-planning comments with tall buildings premature pending new LAP with impact of proposed height on Tallaght Hospital;
- Request some design elements reviewed to minimise risk of anti-social behaviour with design of colonnade could give rise to areas hidden from view;
- 3-year timeframe for demolition excessive and should be reduced and 10 year permission excessive giving unfair advantage;
- Phasing of development should benefit local community including provision of public spaces;
- Part V requirement should include scale of student accommodation proposed;
- Proposal does not meet new Apartment guidelines, only 37% units dual aspect and do not accept this is appropriate, request review of proposal in relation to residential amenity with daylighting of large proportion of units below standards;
- No gardens proposed at ground level with lack of any significant greenspace with street area narrow with Town Centre lacking green areas with Civic Plaza proposed a largely concreted area, very small in area (under 7%) & suggest amended to provide 2 significant green spaces;
- Examples of development in US provided where more green space and green amenities proposed;
- Area of parkland (17%) recently annexed in Part 8 scheme contradicts NPF objectives relating to creation of high quality urban places and integrated communities;

- New district should create strong, functional urban space for local and visitors with brief lacking design features and clear function with 3 Irish examples (Waterford Apple Market, Meeting House Sq. Temple Bar, Milk Market Limerick), well-designed urban spaces which applicant should aspire to design;
- Fire Safety report fails to address whether equipment available to reach 10 storeys and fire safety certificate should not be issued until question answered;
- Despite local transport under provision of car parking spaces, other schemes in town centre have 1 space per unit, will lead to illegal parking in nearby estates, no spaces for students, assuming they will use bikes unrealistic, do not accept conclusion of TIA that proposal will have negligible impact;
- Public realm proposed comprises long narrow strips, weak landscaping with proposal by far largest SHD with ABP with 4-bed apartments in some of other schemes and height excessive;
- Name of proposal lacks strong historical merit or strength in creating a newly defined area, further use of Belgard name, lacks imagination, does not include previous uses including Glebe House and located over now piped Dodder River;
- Proposed community centre is main community benefit in phase 2 with no start date and phasing should be changed so it is constructed early with 10-year permission too long and should be reduced to 5 years;
- Student population existing and proposed would not support proposal as most live locally and many international students stay with families and suggest reduction to between 150-200, proposed 10-year development may create market dominance with reduced number of units facilitating space for larger apartments and open space;
- No commercial space proposed to provide high quality jobs with industrial lands being turned into small apartments;
- No duplexes or houses proposed and urge Board to dramatically reduce density;
- Lack of clarity on what is proposed in Phase 2, with absence of town centre development plan inexcusable given scale of proposal without guidance;

- Development should not be permitted until phase 2 specified and Plan is made public;
- Masterplan shows green area outside red line boundary which appears to be public land with town centre plan more necessary with local petition to stop development on public parks and appears SDCC given public land for use by a private developer;
- School assessment desk based with no schools visited to check current and projected capacity;
- Local communities at a disadvantage in SHD process and ABP should recommend provision of funds to allow community groups easier engagement of town planners so voices can be heard;
- Tallaght Town Centre masterplan lapsed and in theory if adopted local community would have had a chance to influence same and proposal should not be allowed go ahead until new Town centre masterplan is in place and strange that generating a town centre plan seems to have no urgency;

7.4. **Bryant Park QIAIF**

- Owners of adjacent Belgard Road Retail Park concerned about reliance of proposal on future road referred to as 'Airton Road Extension' which is not part of the current application, has no planning permission, has not been subject to detailed design or consideration of consequences for third party owners and has no consent/agreement of third parties;
- Impacts of development on operation and functionality of Retail Park in circumstances where only construction access proposed is shared with the Retail Park and where no right of use or access for the purposes proposed;
- Access road immediately north of application site was acquired by observers as part of acquisition of Retail Park (Letter from Solicitors in Appendix A) with right of way existing over part of access road for Uniphar site only and does not extend to proposed development;
- Site that benefits from ROW over access road does not extend to current application site which is larger at 7.2 hectares and applicant cannot rely upon an

access road outside of their ownership and any conferred ROW existing for the purposes of the Uniphar site only;

- Can be no access over road to north of application site without consent of Bryant Park QIAIF and Board should not grant permission for a development reliant on an access road outside of their control;
- Multiple references in application to new link road between Airton Road and Cookstown Estate Road but road not included within current application and can be no reliance on same to serve proposal;
- SDCC consider road integral to development and should be delivered as part of same with reference to consideration of future delivery of same in documents with concerns expressed in S.247 meeting outlined and while internal north south link included to address connectivity, road terminates and is a cul-de-sac;
- In absence of Airton Road Extension proposal relies on single vehicular access point via Belgard Sq. N which inadequate means of serving proposal leading to traffic congestion with proposal premature pending resolution of road network to serve the proposal and should be refused;
- Access road to Belgard Retail Park is only construction access proposed (pg. 18 Construction Methodology & Phasing Mgt Plan) with position on construction access set out in Solicitors letter attached with applicants having no right to access this access road for construction purposes and in order to grant permission, applicants would require an alternative access solution;
- Without prejudice to position, observer concerned about impact of proposal on the Retail Park with TIA deeming it unnecessary to provide a detailed analysis of potential impact of construction with no quantum of traffic generated during construction provided a serious deficiency and not demonstrated how road network available to applicants can facilitate nature and volume of construction traffic arising;
- Retail Park relies on Airton Road access for customer and servicing/waste collection requirements and use of access for construction traffic will significantly impact retail park operations with increased congestion at junction negatively affecting trade with no management/mitigation proposed, health and safety of

customers/tenants with contractual commitments to tenants in terms of easements over the access road with potential impediments;

- No details provided of SDCC road objective for Airton Road extension and proposed scheme may affect deliverability of objective with masterplan document showing road objective outside site boundary with indicative road alignment impacting on service yard of retail park with road alignment requiring consultation;
- Parking provision of 129 spaces significant shortfall in parking provision on the estimated demand of 444 leading to overspill parking and unrealistic to expect no requirement for parking for student accommodation with Development Plan requirement of 20 spaces with proposed provision only 28% of demand;
- TIA significantly underestimates quantity of traffic generated with apartments alone generating 230% more traffic than assessed with proposal failing to demonstrate that the road network can accommodate the proposal;
- No quantification of potential construction traffic volumes provided with high volumes of construction traffic potentially resulting in queueing and congestion within the existing road network adversely impact on Belgard Retail Park;
- Traffic associated with construction personally estimated at 206 vehicles based on CSO data which is not considerably less than operational stage as suggested;
- Construction vehicle movements not stated to be one or two way with no details of how proposed construction entrance management will be controlled;

8.0 Planning Authority Submission

8.1. Overview

- 8.1.1. South Dublin County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016 which was received by the Board on 22 February 2019. It summarises the prescribed bodies and observer comments as per section 8(5)(a)(i) and the views of the relevant elected members as expressed at the Area Committee Meetings held on 17th January 2019, as per section 8(5)(a)(iii). The matters raised in both summaries are similar to those stated in the

submission, above, and the Planning Authority's planning and technical assessments, below.

8.2. Views of Elected Members

8.2.1. The views of Relevant Elected Members as expressed at the Area Committee held on 17th January 2019 are summarised as follows:

- Unfortunate proposal being considered prior to Tallaght Town centre plan with high level of renting with short tenure resulting in transient population which is not good planning;
- Student accommodation welcomed but off-term issues attracting tourists;
- No sense of community or ownership in the area with requirement of Council to build communities and request longer leases;
- Proposal overdevelopment with 10 storeys too high with height not working well and not in keeping with landscape and bounding oldest part of the area;
- Density/size of development and sense it is not family friendly with units that provided employment being demolished and development should be about town centre development;
- Overlooking of 3 families across the road;
- Estate management important;
- Consideration of deprivation in small areas rather than in ED's with impact for creation of sustainable communities with area over populated with apartments;
- Despite new roads, huge potential for traffic chaos with potential impact on ambulances to/from hospital and on Belgard Rd. with new signallised junction with additional population creating additional cars and congestion;
- Part V in one block;
- Management of communal areas an issue with possible anti-social behaviour;
- Positive impact on availability of housing, welcome plan for plaza, welcome student accommodation and new road,
- Negatives far outweigh positives in relation to development as proposed;

8.3. Planning Analysis

8.3.1. The relevant policy in the SDCC County Development Plan 2016-2022 is outlined. The planning assessment in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) is outlined in the Report and may be summarised as follows:

- Proposal located on Regen lands where zoning applies to lands which are underutilised industrial lands close to town centres and transport nodes with substantial investment in public transport in Tallaght in recent times with bus services to be enhanced and site well served by public transport with SDCC policy to support more intensive development on these lands;
- Redevelopment of sites such as proposed critical to achieving national planning objectives to support delivery of greater residential development within existing built up areas and consistent with regional designation of Tallaght as a Metropolitan Consolidation Town;
- Principle of redeveloping the site to a higher density acceptable and encouraged;
- Proposed uses consistent with zoning;
- Housing policy 4 supporting provision of student accommodation at locations proximate to third level educational centres with site close to TUD Tallaght and Tallaght Hospital which is a teaching hospital of national importance;
- Proposed height significant departure from existing buildings on site with CDP recognising building height and directing same to town centre etc, while site is considered to be a strategic landmark site in Tallaght Town Centre no LAP is in place and proposal would materially contravene this objective with SDCC commencing work on a draft LAP with draft anticipated in spring 2019;
- Emerging height framework developing in draft LAP promotes higher densities of 4-7 storeys in inner urban core adjoining Luas and bus with typical edge blocks of 6-storeys with heights of 7 and above may be suitable for landmark site/corner features with buildings of 10 storeys or above only provided as part of larger ensemble development and in form of slender towers;
- Overall site (phase 1 & 2) represents comprehensive site area delivering key infrastructure including a civic space facilitating considered approach with PA

satisfied that general height parameters of scheme acceptable with some concerns regarding some individual elements;

- Overall development represents urban layout envisaged in Section 11.2.4 of Plan with development of Phase 1 ensuring first stage of development is not isolated from rest of town centre allowing sequential development;
- Belgard Sq. N important street for town centre expansion with ground floor uses promoting activity during the day, community rooms should be made available to community groups and preferable to relocate large bicycle parking space in Block B2 as it makes less contribution to the streetscape;
- While proposal provides strong urban aesthetic, amendments should be made as follows:
 - Block B2 - Subdivision of façade into 4 levels of brick and 2 render erode strong urban response and 4:2 proportion of 6-storey element should be 5:1 or 4:1 ratio;
 - Concern at massing of 9-storey block from Belgard Road and in relationship between brick lower levels and upper 2 floors which have proposed smooth render finish with this high profile aspect requiring a higher grade material with a more durable finish – stone or brick with alternative forms to be considered including omission of top storey and setting back highest level which should be given to all top storeys;
 - Block B1 – 70m length of western elevation requires greater variation in façade to break up expanse;
 - Blocks A2 & A3 – return blocks of A2 and A3 at 7-storeys have repetitive architecture and should be reconsidered to create lively and varied streetscapes, north-south elevations of A2 requires horizontal effect is reconsidered with a finer grain and scale and middle block should be 6-storeys and extent of brick on A3 might be extended to improve urban grain and legibility;
 - External clip on balcony design should be reconsidered with particular consideration required for usability and level of exposure appropriate to balconies along heavily trafficked avenue corridors;

- Parapet detail with concrete capping sitting on brick piers without a roof/lid does not adequately contain street form and appears temporary with potential solutions, extension of roof to meet the parapet or deepening capping detail and proposals to address same should be submitted for approval;
- Preference for a greater level of integrated balconies rather than vast majority being external with proposed materials crucial if high quality durable finish is to be achieved with PA not recommending clear glass facades to balconies;
- Residential amenity - 37% of apartments are dual aspect, above minimum required in Guidelines with a number of units at upper level of Block B1 north facing single aspect overlooking the civic plaza, other north facing single aspect units in Blocks A2 & A3 front Phase 2 with consideration of opposing blocks required;
- Concerns at amenity value of north facing single aspect ground floor units in A1 & A2 given aspect, ground level and potential for adequate light, location of bicycle parking divides the open space and preference for omission of units (units 4 & 5 core 1, Block A1 and 7 & 8 core 3 Block A2), relocation of bicycle parking and increasing open space in centre of courtyards;
- Shadow analysis not submitted to show impact on closest dwelling on eastern side of Belgard Road with overlooking likely from student accommodation building which is a negative impact on residential amenities;
- Rationale for not meeting sunlight standards in c.20% of units due to density and high building is acceptable but beneficial if compensatory design solutions were set out (larger room sizes), not clear from report which units do not achieve minimum and useful to ascertain nature of units (aspect and orientation);
- Provision of private open space sufficient with semi-private space(courtyards) will receive adequate sunlight and total area for same provided rather than areas of individual SP spaces with public open space proposed as civic plaza;
- Despite socio-economic analysis and justification, beneficial to increase 3-bed units to cater for larger families to live in town centre and expand level of choice;
- Information does not clarify intention of accommodation related to a Higher Education Institute, use of building as housing accommodation even short term

by visiting lecturers or researchers would not be acceptable given that it's not comply with standards for residential purposes;

- PA supportive of using building for tourist/visitor use outside of term given location;
- Phasing of proposal requires consideration in terms of delivery of infrastructure and future proofing scheme in case of delays in commencing construction phases and north south link should be completed to north site boundary prior to occupation of residential units and plaza should be completed in first phase and may be preferable to commence with B1 & B2 and work from Belgard Road westwards negating need for temporary car parking;
- Proposal delivers north-south link from Belgard Sq. East as required in CDP and offered to be taken in charge as requested to ensure future connectivity to Airton Road Ext with permeability required for pedestrians, cyclists and internal; vehicular traffic;
- Design and signal timings of all signalised pedestrian crossings at junction of Belgard Sq. North/Belgard Sq. East to be agreed with SDCC in addition to details of toucan crossing point on Belgard Road;
- Noted Road Dept have concerns regarding car parking provision and recommend refusal on basis of insufficient provision of parking provided at 0.24 spaces per apt but PA consider that location of site and public transport available make site suitable to consider reduced car parking provision with provision acceptable;
- Childcare facilities acceptable;
- Condition recommended requiring agreement of end users of commercial units with concern about proliferation of particular uses in the town centre areas including betting office, take-always and standalone off-licences and should be excluded from occupying units without a separate grant of permission;
- Condition should be imposed that live-work units remain as single entities and are not subdivided without a separate grant of permission;
- Part V condition required;

8.4. **Response to Prescribed Bodies/Observers**

- 8.4.1. The report summarises the views of the prescribed bodies and observers. The summary provided outlines the matters arising which are summarised at Sections 8 & 10 of this report.

8.5. **Other Technical Reports**

The following are summarised:

8.5.1. **Water Services**

- Surface Water – no objection subject to report showing what before and after are for Phase 1 of hardstanding area, grasslands and respective run-off coefficients;
- Flood Risk – no objection subject to standard conditions;

8.5.2. **Parks and Landscape**

Conditions recommended on the basis of the following:

- Detailed Landscape Plan to include specific matters outlined;
- Play equipment and design to be detailed;
- Public realm – detailing and movement;
- Existing Trees – investigate possibility of retaining any existing trees on site;
- Accessibility Disability/wheelchair users – inadequate information on accessibility
- SuDS features – insufficient detailing on SuDS features:

8.5.3. **Roads Department**

The report is summarised as follows:

Vehicular Access

- Design and signal timings of all signalised pedestrian crossings agreed with SDCC Traffic Management prior to commencement of development.
- Proposed to provide a toucan crossing on Belgard Road to the north of the Belgard Road/Belgard Square /IT Tallaght roundabout which will provide access from the

development to IT Tallaght. Details of this crossing point are to be agreed with SDCC Roads Department.

- Allowance has been made along Belgard Square North for the future implementation with Bus Connects. This has been agreed during preplanning meetings between the NTA, SDCC Roads Department and the applicant.

Layout

- SDCC Roads Department stated during preplanning consultations that a single access would only be sufficient for 200 vehicles associated with the development, and that development in excess of 200 vehicles would require the second entrance to the north.

Car Parking

- Purpose of the temporary car has not been indicated, but assumed for the construction period of the development.
- Maximum number of car parking spaces that could be permitted for this development is 431. 107 car parking spaces (including 3 car sharing spaces) provided at basement level for residents only. 22 spaces provided at surface level for visitors and crèche drop-off. This provision is 0.25 of the maximum allowable for size of development.
- Car club/car sharing service available in the development with 3 designated car parking spaces for this purpose. Local public transport network, student accommodation element and car sharing etc. is sufficient to warrant a lower than standard parking provision for the development. Data from the 2016 census has been used to determine car ownership from 11 areas in close proximity to the proposed development, used in support of the lower parking provision.
- Noted that results of car ownership varied from 0.61 – 0.91. Maximum number of units that could be expected to have no demand for a car parking space is 39% (not the 49% stated in the TIA).
- SCCC recognise that Design Standards for New Apartments (March 2018) states that car parking in higher density developments in central locations may minimise or exclude car parking. SDCC Roads Department do not have any issues with this principle however concerned that significant under provision of car parking proposed will not be generally acceptable and may result in parking and traffic issues both within the development and on surrounding public road network.

- Roads Department consider parking provision not sustainable and does not mitigate against future potential changes of residential use/market within the development. E.g student accommodation element may become unfeasible in future years and may be used for longer term residencies with additional car parking required, which is not available due to the low parking provision. Roads Department consider that the trip generation figures should be reworked to take account of a car parking provision which is based more closely on maximum standards as set out in the current SDCC County Development Plan, which will mitigate against additional future car parking limitations which may results in illegal/dangerous parking within the development and on the surrounding public road network.
- Mobility management plan submitted and will be maintained as part of the development.

Bicycle Parking

- Provision is the SDCC standards and the National Standards and is acceptable to SDCC.

Site Accessibility is outlined;

Road Safety Audit

- Stage 1/2 Road Safety Audit (RSA) submitted with several items identified as part of the RSA.

Traffic Impact Assessment

Current Network outlined;

Trip generation outlined, noted that TRICS used to estimate trip generation by the overall masterplan lands which includes phase 1 (subject application), phase 2 to the north of phase 1 and the construction of the Airton Road Extension.

Noted that ancillary retail units have not been included in the analysis as these will primarily serve the residents of the development and locals and are not expected to generate traffic demands.

Junction Analysis for Opening Year 2020 and Design year 2035 are outlined with a number of recommendations.

TIA submitted shows that surrounding road network will continue to operate within capacity should this development be permitted on the current form. Analysis shows that development not reliant on future Airton Road Extension in terms of available network capacity, however

the second entrance to the north is required to mitigate against potential traffic collisions which may block a single entrance development. Provision of a single entrance for a development of this size and future masterplan for the site would be suboptimal and northern access onto the Airton Road Extension should be provided as soon as possible.

TIA based upon proposed low parking provision of approximately 0.2-0.3 car parking spaces per unit. Roads Department consider parking provision is not sustainable and does not mitigate against future potential changes of residential use/market within the development. Trip generation figures should be reworked to take account of a car parking provision which is based more closely on the maximum standards as set out in the current SDCC County Development Plan.

Mobility Management Planning

- Mobility Management Plan for the masterplan development, which comprises 1,548 residential units and 403 student bed spaces. Preliminary plan gives regard to bus, light rail, cycling, pedestrian and private cars within the development and the surrounding area. Specific measures including appointing a Mobility Manager, the provision of car sharing, low car parking provision, cycle/pedestrian facilities and the use of technology will be employed as part of the mobility management plan for the development. Specifically the low parking provision will help to promote the use of public transport, however car parking on the site will have to be managed to prevent dangerous/illegal parking both within the site and in the areas surrounding the development. Further information should be provided on the parking management structure to be implemented on the site. Recommended that a revised Mobility Management Plan is submitted within six months of occupation of the first dwelling, in order to establish the success of the mobility management plan in the initial phases of the development.

Roads Department Recommendation

- Site is a good candidate for a lower parking provision, and SCCC Roads Department recognise that the Design Standards for New Apartments (March 2018) states that car parking in higher density developments in central locations may minimise or exclude car parking. SDCC Roads Department do not have any issues with this principle and acknowledge that lower parking provisions were applied during preplanning;

- Concerned that significant under provision of car parking proposed will not be generally acceptable and may result in parking and traffic issues both within the development and on the surrounding public road network.
- Consider that parking provision is not sustainable and does not mitigate against future potential changes of residential use/market within the development.
- Consider that the trip generation figures should be reworked to take account of a car parking provision which is based more closely on the maximum standards as set out in the current SDCC County Development Plan, which will mitigate against additional future car parking limitations which may results in illegal/dangerous parking within the development and on the surrounding public road network. It is noted that a number of submissions have been made on the application and that traffic is of concerns to the local communities/residents.
- Development as submitted relies on a single entrance off Belgard Square North which is a weakness in terms of access and local permeability.
- Future proposal for the Airton Road Extension to the north of the site (which will provide a second entrance to the site) outside of the control of the applicant and the delivery of this road cannot be guaranteed.
- Recommend that planning permission is refused based on under provision of car parking and pending delivery of the Airton Road Extension which limits this large development to a single entrance.

Condition Proposed if Granted

- Conditions are proposed relating to the NTA preferred route, delivery of internal north/south link, location, design and construction of toucan crossing on Belgard Road, the design and construction details of the signalised junction on Belgard Square North/Belgard Square East/Development Access, minimum of 10% of car parking spaces to be provided within the development shall make provision for the charging of electric vehicles, Mobility Management Plan is to be completed within six months of opening of the proposed development, public lighting scheme with SDCC Lighting Department, areas to be taken in charge shall be undertaken to a taking in charge standard, Construction Traffic Management Plan to be agreed, road opening licence.

8.5.4. Environmental Health

- Proposal Acceptable with conditions recommended.

8.5.5. Recommended Conditions

47 conditions are proposed and included at the end of the Report.

A summary of same is outlined as follows:

1. Plans and particulars;
2. Details of external finishes and written agreement with omission of render on upper floors of student accommodation, extension of brick on eastern elevation of A3, revision of proportion of brick to render on 6-storey student accommodation to reduce to 5:1 or 4:1;
3. Revised plans to provide for an increase in number of 3-bed units to 15% of total;
4. Community rooms to be made available for use by local community groups with details of management to be agreed in writing;
5. Units 4 and 5 of Core 1 in Block A1 and Units 7 & 8 of Core 3 in A2 omitted and bicycle parking in courtyards to be moved to this location and public open space increased;
6. Revised plans for written agreement to include:
 - Revisions to elevation of north-south building in A2 & A3 and western elevation of B1 to create more variation;
 - Reduction in height of A2 to 6-storeys and revision to east and west elevations to incorporate a finer grain;
 - Reduction in height of B2 to 8-storeys and setback of 8th floor;
 - Alternative proposal for external clip of balcony design;
 - Revisions to parapet detail on scheme to incorporate extension of roof to meet the parapet deepening capping details;
7. Revised phasing programme for written agreement of PA to include early delivery of internal north/south road and civic plaza, north south road for taking in charge within 6 months of opening to ensure future connectivity to Airton Road Extension;

8. Use of proposed retail/commercial units to be restricted excluding use as a betting office, take-away or standalone off licence with details of intended occupant to be agreed;
9. Live-work units retained as single entities and not subdivided;
10. Applicant to agree with NTA detailed design of boundary treatment at interface between proposal and Belgard Sq. North to take account of Core Bus Corridor;
11. Details of Toucan Crossing to be agreed in writing;
12. Details of design and construction of signalised junction on Belgard Sq. North/Belgard Sq. East/Development Access to be agreed in writing;
13. Minimum of 10% of car parking spaces to be provided;
14. Mobility Management Plan to be completed within 6 months and agreed in writing;
15. No plant or machinery to be placed on roofs of any buildings;
16. Taking in charge, standard and details to be submitted;
17. Construction Traffic Management Plan agreed in writing with Roads Dept.
18. Appropriate aviation warning lights for cranes, applicant to liaise with IAA and Department of Defence prior to commencement;
19. Construction Environmental management Plan to be agreed with Inland Fisheries Ireland and submitted to PA;
20. Dishing of kerbs;
21. Details of Irish Water Connection requirements to be submitted;
22. No sub-division of residential units or use for commercial purposes;
23. Student accommodation to be occupied in accordance with definition of student accommodation in Section 13(d) of 2016 Act;
24. Signage or advertising structures to require separate grant of permission;
25. Public services to be underground;
26. Public lighting scheme to be submitted;

27. Drainage infrastructure including disposal of surface water to comply with technical requirements of Council's Water Services Section with revised plans required to outline details of surface water attenuation calculations which specifies gross surface areas of buildings etc, drawing showing surface water layout for the development, and report of before and after phase 1 hardstanding;
28. Archaeological monitoring;
29. Archaeological monitoring report;
30. Naming and numbering scheme;
31. Taking in charge standards;
32. Taking in charge Plan;
33. Aviation safety with evidence required of written agreement of IAA;
34. Part V requirements;
35. Facilities for charging electric vehicles;
36. Minimise air blown dust being emitted from the site;
37. Hours of construction and noise limits;
38. Construction traffic management plan;
39. Public realm debris avoidance
40. Construction waste management;
41. Landscape details including amended site layout to incorporate existing trees where possible, dual active frontage and passive supervision, landscape design rationale to be submitted, retention of landscape architect, tree survey and plans, play provision, taking in charge, public realm, SuDS;
42. Implementation of required landscape plan;
43. Retention of landscape architect and certificate of practical completion;
44. Protecting open space areas;
45. Bond for public realm debris avoidance and redress;
46. Section 48 development contribution;
47. Bond

9.0 Prescribed Bodies

Five submissions were received from the following prescribed bodies which are each summarised in turn:

9.1. National Transport Authority

- Site within walking distance of Luas and served by range of bus services with level of public transport accessibility enhanced by the Core Bus Corridor (CBC) project and associated on-going Dublin Area Bus Network Redesign and NTA supportive of intensification of land uses in this location;
- NTA currently in process of consulting with members of public and potentially affected landowners in relation to CBC project which aims to deliver full priority along the length of the primary bus routes in the Metropolitan Area;
- Belgard Sq. North forms part of the Greenhills CBC which runs from Tallaght to City Centre and emerging preferred route of the CBC may require the acquisition of a small portion of the site of the proposal which is unlikely to require any significant alterations to the design as presented;
- NTA recommends that if permission granted a condition is attached stating that applicant must take full account of the CBC project in detailed design of the boundary treatment at interface of proposal and Belgard Sq. North;

9.2. Transport Infrastructure Ireland

The submission is summarised as follows:

- No observations

9.3. Irish Water

The submission is summarised as follows:

- Based on detailed provided IW confirm that subject to a valid connection agreement that the proposed connection to IW networks can be facilitated;

9.4. Inland Fisheries Ireland

The submission is summarised as follows:

- All construction should be in line with a construction Environmental Management Plan which should identify potential impacts and mitigating measures and should

provide a mechanism for ensuring compliance with environmental legislation and statutory consents;

- All mitigation in Chapter 15 of EIAR should be central to CEMP;
- CEMP should detail and ensure Best Construction Practices including measures to prevent the introduction of pollutants and deleterious matters to surface water and measures to minimise the generation of sediment and silt;
- Comprehensive surface water management measures must be implemented at construction and operational stages to prevent any pollution of the Dodder catchment;
- Maintenance strategy for drainage strategy and SuDS infrastructure and petrol/oil interceptors throughout operational stage and should be a condition of any permission;
- Silt fencing of discharge streams during construction is essential with precautions required to ensure no entry of solids during connection of pipe-work;
- Imperative that detailed CEMP identified mitigation measures for all potential impacts in advance of construction and that permission is conditioned accordingly;

9.5. Irish Aviation Authority

The submission is summarised as follows:

- Observation of the IAA that applicant/developer should engage with Tallaght Hospital to ensure operators into the Helipad facility (e.g. CHC Ireland, Irish Air Coprs, Sloane helicopters) are aware of proposal and that safety of aircraft operations into and out of facility are not adversely impacted;
- If permission granted applicant/developer should ensure that during construction where crane operations are undertaken appropriate aviation warning lights are utilised;
- Applicant /developer should engage directly with Property Services Section of Dept. of Defence to ensure that there is no impact to safety of aircraft operations at Casement Aerodrome during and post construction;

10.0 Assessment

10.1. Introduction

10.1.1. Pursuant to site inspection and inspection of the surrounding environs including the road network, examination of all documentation, plans and particulars and submissions/observations on file, I consider the following the relevant planning considerations of this application:

- Legal Matter
- Principle of Proposal
- Development Strategy
- Transport Related Matters including Parking
- Residential Amenity
- Phasing
- Other Matters
- AA screening

10.2. Legal Matter

10.2.1. In respect of the matter of the wayleave to the north of site, one of the observers raises a legal matter in respect of what they consider to be limitations on the wayleave. The proposal before the Board seeks to use the existing access to the north of the site on Airton Road (cul-de-sac) as the construction access. This access is located within the extent of the wayleave shown on the application drawings and is the access to the former Uniphar site. I address the concerns expressed in respect of the potential impact of construction traffic on the observer's property below at Sections 10.5. In respect of legal interest, I would refer the Board to Section 34(13) of the Planning and Development Act 2000, as amended which states that '*a person shall not be entitled solely by reason of a permission under this section to carry out any development*'.

10.3. Principle of Proposal

Zoning

10.3.1. The application site is zoned REGEN in the South Dublin County Development Plan 2016-2022. Policy CS2 Objective 4 seeks to promote and support the regeneration of underutilised industrial areas within areas designated with zoning objective Regeneration. I would note that while some observers are concerned about the absence of an apparent rationale for the development of such sites the Planning Authority in their opinion describe these Regen lands as underutilised industrial lands close to town centres and transport nodes where there has been substantial investment in public transport in Tallaght in recent times with bus services to be enhanced. They state that the site is well served by public transport with SDCC policy to support more intensive development on these lands. They also state that the redevelopment of sites such as the proposed are critical to achieving national planning objectives to support delivery of greater residential development within existing built up areas which is consistent with the regional designation of Tallaght as a Metropolitan Consolidation Town. They consider that the proposed uses are consistent with the zoning. I would concur with the Planning Authority. The site is zoned for regeneration with the nature of the type of development to be assessed on its merits and given both the extent and location of the subject site, I consider that its redevelopment to provide a new urban quarter in Tallaght accords with the integral principles of regeneration.

10.3.2. I would also refer to the comments of the PA in respect of the sequential approach to the development of the lands with the area of the site closest to the town centre being delivered first so as to ensure the development is not isolated from the town centre. This provides that this new urban quarter, with the proposed uses addressing Belgard Street North, facilitates the expansion of the town centre with active frontages addressing same with a number of minor concerns outlined addressed in Section 10.4 below under design. I address the matter of height as it relates to policy below under development strategy.

LAP

10.3.3. A number of observations refer to the absence of a Local Area Plan for Tallaght Town Centre to guide the development of the subject lands. The most recent Tallaght LAP expired in 2016 and it was proposed as part of the County Development Plan 2016-2022 to prepare a new one. The PA have indicated that a draft LAP is expected in the spring of 2019 with work having commenced on the

preparation of same. The site is zoned for development and includes a number of specific objectives in respect of roads/connections. In addition, substantial pre-planning discussion has taken place with the Planning Authority in respect of the most appropriate development framework for the site. Furthermore, the application documentation includes a material contravention statement which addresses the matter of height within the context, in particular, of national policy and guidelines which the LAP will equally have to address. While it is unfortunate that an LAP is not in place, it is not reasonable to hold up development in the Tallaght Town Centre area for 3-4 years in anticipation of an adopted Plan and in this regard I do not consider that the proposal could be determined to be premature on the basis of the absence of an LAP.

Uses

- 10.3.4. A concern is expressed that there is no commercial space proposed to provide high quality jobs. However I would note that the site is currently vacant and is not contributing to the local employment economy. Secondly, there are a number of large employers adjoining the site including Tallaght Hospital, South Dublin County Council and Tallaght IT whose employees require residential accommodation. The proposed development includes 8 live work units within Block B1 with a total work area of 509 m² proposed on the ground floor with access from the street with the accommodation at first floor level. I consider that this use provides a complimentary use to the residential development while facilitating the creation of an active ground floor frontage. I note the recommendation from the PA that a condition should be imposed that the live/work units remain as single entities and are not subdivided without a prior grant of permission and if the Board are minded to grant permission I consider that this is a reasonable recommendation.
- 10.3.5. The proposal includes two spaces within the ground floors of Blocks A1 & A2 which are described as community/function room (138m²) and community/residential amenity (201m²) respectively on the floor plans. The applicants planning report notes at page 16 that the proposal seeks to ensure the highest standard of living accommodation for future residents and includes proposals for communal amenity spaces within the ground floors of residential blocks. It states that these facilities will be available for the use of the residents but that it is also envisaged that they would be available for hire, for a nominal fee, to local residents or community groups. It is

also noted that the uses at ground floor will provide passive surveillance along Belgard Sq. North. While I address the matter of the treatment of these frontages to ensure surveillance and activity is maintained in relation to design below, I note that the PA state that such rooms should be made available to community groups and I consider that it is reasonable that these primarily resident amenity spaces could be used for community use at a nominal fee, as outlined by the applicant, so as to ensure appropriate management and maintenance. The PA recommend a condition is attached regarding the use of same by community groups and request details of the management of the rooms to facilitate same should be submitted for their written agreement which appears reasonable. However, I would suggest that these spaces are primarily resident amenity spaces and in this regard their use by community groups should be ancillary to same.

- 10.3.6. Furthermore, retail units and a crèche support the proposed new urban quarter. I note the recommendation from the PA that a condition is attached requiring agreement of end users of the commercial units with a concern expressed about the possible proliferation of particular uses in the town centre area including betting office, take-always and standalone off-licences and that these should be excluded from occupying units without a separate grant of permission. I note the condition they propose which restricts use of same to Class 1, Class 2 or Class 10 of Part 4 of Schedule 2 of the Planning and Development Regulations 2001, as amended which continues by excluding use as betting office, take-away or standalone off-licence. It is also stated that prior to the occupation of the units that details are to be submitted to the PA of the intended occupant. I would concur with the concern of the PA regarding the proliferation of uses such as betting offices, off-licence and take-aways particularly given the development provides for the creation of a new urban quarter. I would recommend that if the Board are minded to address the matter that the most appropriate means may be to include a condition as recommended by the PA which restricts the use of the retail units as outlined above. However, I do not consider it necessary or appropriate that the PA agree the intended occupant of each unit.
- 10.3.7. Having regard to the location of the site, the proximity of services and employment nodes I consider that the uses proposed are acceptable.

Student Accommodation

- 10.3.8. Policy H4 in the County Development Plan outlines the Council's policy in relation to Student Accommodation where it provides that it is the policy of the Council to support the provision of accommodation for third level students in the campus of third level institutions or at other appropriate locations that are proximate to centres of third level education. The subject site is located in close proximity to TUD Tallaght and also adjoins Tallaght Hospital which, as stated in the PA report, is a teaching hospital of national importance. I consider that the principle of student accommodation on the site is acceptable.
- 10.3.9. It is suggested in an observation that the existing and proposed population would not support the proposal as most students live locally and International students stay with families. I would suggest that this observation would not reflect the findings outlined in the Dept. of Education and Skills 'National Student Accommodation Strategy' (July 2017) whereby there is a national shortage of suitable student accommodation with a projected excess demand in Dublin of 13,569 spaces in 2024. I consider that both the principle of student accommodation on the site and the scale of bedspaces proposed are acceptable.
- 10.3.10. The PA address the matter of the potential user of the accommodation as it relates to a Higher Education Institute and that the use of the building as housing accommodation even short term by visiting lecturers or researchers would not be acceptable given that it does not comply with standards for residential purposes. They are however, supportive of using building for tourist/visitor use outside of term given its location. I would suggest that if the Board are minded to grant permission that a condition relating to the use of the student accommodation is attached.

Precedent

- 10.3.11. A number of observations express concern that the proposal would establish a precedent for other similar developments in the area. I would suggest that if the development is considered to be acceptable to the Board that it would establish a suitable precedent for development in the area. However I would note that the subject site is of itself a considerable landbank in close proximity to the town centre and therefore there are not considered to be many comparable sites which could justifiably apply such precedents.

10.4. Development Strategy

Height

- 10.4.1. The proposed development provides for a variety of heights on the site as outlined in Table 3 above with two of the Blocks 4-7 storeys, one 4-8, one 4-10 and the student accommodation block 6-9 storeys. Therefore the highest element is 10 storeys and is located at the entrance to the development from Belgard Sq. North. In the consideration of height, in this particular instance, there are two considerations. Firstly, the suitability of height in urban design terms and secondly the consideration of height in terms of policy. I will address the matter of urban design first and then outline the matter of policy. I would note that a number of observers have raised concerns with regard to the proposed height in the development particularly in the context of the policy in the CDP and the absence of an LAP.
- 10.4.2. In relation to urban design I consider that the site is wholly capable of establishing its own height. It addresses two public roads with suitable separation distances and in addition to the further phase of development, it effectively is a new urban quarter in the area given the size of the site. The higher elements of the proposed scheme are located at pivotal corners and junctions which create a presence for the development and way finding for the wider area. The design of the buildings which is discussed elsewhere provides that the height can be appropriately absorbed into the overall design and into the wider area. I consider therefore that in urban design terms the height strategy for the site is appropriate.
- 10.4.3. The County Development Plan at policy H9 refers to residential building heights and seeks to support varied building heights across residential and mixed use areas in South Dublin. Objective 4 of policy H9 seeks to direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and SDZ's and subject to an approved LAP or Planning Scheme. The PA in their opinion state that the proposed height is a significant departure from existing buildings on site varying from 4-10 storeys with the CDP recognising building height and directing same to town centre etc. They state that while the site is considered to be a strategic landmark site in Tallaght Town Centre that there is no LAP in place and that the proposal would materially contravene this objective with SDCC commencing work on a draft LAP with the draft anticipated in spring 2019.

- 10.4.4. I have outlined the matter of the LAP above in this assessment and therefore it is accepted that the proposal is a material contravention of the Plan and in this regard the applicant has submitted a material contravention statement. The principle argument relates to conflicting policies in the Development Plan and the National Policies and Guidelines in respect of height. I will address both these matters in turn in the following sections. I would note that their overall argument is that the development of strategic residential sites should ensure that higher densities are delivered with restrictions on allowable building heights, such as is provided by the Development Plan, clearly in conflict with objectives for higher density development. In principle I would agree with this rationale particularly given the size of this site in such close proximity to the town centre and public transport.
- 10.4.5. The Planning and Development Act 2000, as amended, provides that the Board is precluded from granting permission for development that is considered to be a material contravention, except in four circumstances. These circumstances, outlined in Section 37(2)(b), are as follows: where development is of strategic or national importance; conflicting objectives in the development plan; regional planning guidelines or guidelines under Section 28 etc. or the pattern of development/permissions granted in the area since the adoption of the development plan.
- 10.4.6. The first matter Section 37(2)(b) is that of strategic or national importance. The current application has been lodged under the strategic housing legislation and the proposal is considered to be strategic in nature. Government policy as expressed within Rebuilding Ireland – The Government’s Action Plan on Housing and Homelessness and the National Planning Framework – Ireland 2040 fully support and reinforce the need for urban infill residential development such as that proposed on sites in close proximity to quality public transport routes and within existing urban areas. This site would meet these requirements. I would note that by 2040, the NPF projects a need for a minimum of 550,000 new homes, at least half of which are targeted for provision in Ireland’s five cities (Objective 3b). The NPF also signals a shift in Government policy towards securing more compact and sustainable urban development, which requires at least half of new homes within Ireland’s cities to be provided within the existing urban envelope (Objective 3a). Furthermore, as the applicant points out in their statement, National Policy 13 and 35 refer to building

height and car parking being based on performance criteria and increasing density through area or site based regeneration and increased building height. Therefore, it is clear that a significant and sustained increase in housing output and apartment type development is not only necessary but is Government Policy in order to meet the need for residential units. Therefore I consider that the proposal herein would meet the requirements of Section 37(2)(b)(i)

10.4.7. The second matter in Section 37(2)(b) is where there are conflicting objectives in the Development Plan or where objectives are not clearly stated. In their statement the applicant states that the current Development Plan provides a number of policies and objectives which seek to provide for higher residential densities and ensure the efficient use of zoned lands which are contrary to the height limitations imposed by H9 Objective 4 of the Development Plan. They consider that policies seek to increase densities within appropriate locations but that these cannot be fully achieved where there are co-existing limitations on height within the Development Plan as per H9 Objective 4. I would tend to agree with the applicant in this regard. In order to achieve sustainable densities at locations proximate to town centres adjoining public transport corridors and particularly on sites of a significant scale height in excess of 5 storeys is required. While it is a arguably a more subjective argument, I do consider that it could be argued that the requirements of Section 37(2)(b)(ii) have been met.

10.4.8. The third matter in Section 37(2)(b) is the matter of the RPG's and in particular Guidelines prepared by the Minister under Section 28 of the Act. In this regard the applicant provides a number of arguments which highlight that a number of National Planning policy documents and Section 28 Guidelines have been published recently which seek to increase residential densities on zoned serviced lands adjacent to high quality public transport corridors. I would note that these have been published since the adoption of the current County Development Plan in 2016. I have discussed the NPF above in respect of strategic importance. In terms of Guidelines which have been published by the Minister since the making of the Development Plan, the Design Standards for New Apartments Guidelines for Planning Authorities build upon the provisions of the NPF in signalling a move away from blanket restrictions on heights in certain locations in favour of an evidence based approach based on performance criteria. As the applicant notes, Apartment Guidelines provide clear

guidance with regard to the types of location which are considered suitable for higher density developments that may wholly comprise apartments, referred to as Central and /or Accessible Locations and they consider that the subject site meets all identified criteria for such developments. I would agree.

10.4.9. In relation to the Building Height Guidelines the applicants argue that it is appropriate to support heights of at least six storeys at street level with scope for greater height subject to design parameters which is contrary to the 5-storey height limitation in the Development Plan. The applicants also point out that the Guidelines reference that some Development Plans have set out overly restrictive maximum heights limits which lead to development being displaced to less suitable locations resulting in a lost opportunity for key urban areas. Examples of locations with potential for comprehensive development to accommodate a cluster of tall buildings include brownfield former industrial districts with the subject site representing a serious underutilisation of zoned and serviced land within a town centre environment. I would also agree with this contention particularly given the sites proximity to key commercial and employment uses in the immediate area and its accessibility by way of its proximity to the Luas. The applicants consider that it is important to apply the contents of the Height Guidelines to the proposed development as they clearly reflect the intention of National Policy to move towards higher density developments in the interests of sustainable development. I consider that this is a reasonable and rationale consideration of policy in respect of height as it is applied by way of the Section 28 guidelines and in this regard I consider that the requirements of Section 37(2)(b)(iii) have been met.

10.4.10. The final matter is that of the pattern of development in the area and permissions granted in the area since the making of the Plan. While no evidence has been put forward in respect of same, the provisions of the other three parts of Section 37(2)(b) have been met and in this regard I consider that the Board can grant permission for the proposal.

Unit Mix and Typology

10.4.11. The unit mix proposed for the 438 apartment units is as follows: 158 x one-bed, 230 x two-bed, 50 x three-bed which include 8 live work units. This provides that c.11.5% are three bed units with the remaining 88.5% one and two bed units.

There is some concern expressed amongst a number of observers about the apparent absence from the scheme of units suitable for families. The PA have also stated that despite the socio economic analysis that it would be beneficial to increase the number of 3 beds to provide family accommodation in the town centre and have recommended that the number of 3-beds be increased to 15% of the total.

10.4.12. Firstly, I would note that the wider Tallaght area includes large areas of traditional suburban housing comprising 3 & 4 bed units which are often referred to as 'family homes'. Many of these areas are connected to the town centre by the Luas. I would refer the Board to page 20 of the socio economic assessment where it is stated that two-person families, of which there are 7,866 in the study area, is the largest cohort comprising 38% of the total within the study area with three-person families comprising 26% of total. Furthermore, average household size in Ireland in 2016 was 2.75 persons. I note that some observers address some of the findings of the socio economic assessment but I would suggest that elements of same have been referenced without consideration of how these findings fit within the wider picture of the overall area and the need to provide the most sustainable use of urban land served by public transport, within proximity of employment nodes. Notwithstanding the concerns expressed by both observers and the PA I consider that the unit mix and typology of unit proposed is acceptable.

Design and Finishes

10.4.13. Item 3 of the ABP Opinion at pre-application consultation stage sought further consideration of the documents as they related to the detailed design of the proposed development. It required that the documentation submitted at application stage should demonstrate that the external finishes, materials and detailing of the proposed buildings, landscaping and surface/boundary treatments of the streets and outdoor spaces would be of a sufficient quality to ensure that the proposed development would make a positive contribution to the character of the area over the long term. While I address the landscaping/boundary treatment and outdoor spaces in below, I will address the design and finishes of the buildings and would also refer the Board to the Planning Opinion from SDCC which provides a detailed outline of recommendations regarding the proposed design. In response to the Board's request the applicant addresses the matter of design and finishes in their documentation stating that they have undertaken a number of design changes in

respect of external finishes, materials and detailing which was undertaken following the receipt of the ABP Opinion with a summary of the issues raised and response outlined under a number of headings which I will address in turn.

10.4.14. Firstly, the external finishes, materials and detailing where they refer to the massing and treatment of the proposed 10 - storey 'gateway' building in Block A3 at the junction of Belgard Square North and proposed new North/ South access avenue. They state that this was previously proposed as a 12 storey element which has been reduced to 10 storeys in height with an amended sculptural form at the upper levels with a light filigree top to reduce the potential for visual bulk. It is further stated that the 7 storey blocks, A1 and A2, form the 'shoulder' to block A3 on the corner which provides a continuous rhythm and continuity along the street. They consider that the 10 storey 'gateway' element is setback from the 7 storey element and emerges from this form as a 9 storey brick volume with a light metal clad penthouse level on top providing with a line of winter gardens provided along its eastern façade to create a strong visual marker which helps accentuate the corner while marking the main access point to the development. In terms of materials a brick grid pattern is proposed to extend around the sides of each of blocks A1, A2 and A3, which breaks up the façade adding visual interest. Secondary windows have also been introduced within this grid to animate the sides and facilitate passive surveillance along the street.

10.4.15. I consider that the design and arrangement of Blocks A1-A3 works successfully creating a strong presence but with interesting elements creating a differing visual context to the structures particularly as you move along Belgard Sq. North towards Belgard Road. I note that the PA reference some concern regard the return blocks of A2 and A3 at 7-storeys which they consider has repetitive architecture and should be reconsidered to create lively and varied streetscapes. I do not n agree, as outlined in the applicant's response these returns shoulder the higher element and are somewhat subservient to same to allow the higher block the presence it requires. The PA also consider that the north-south elevations of Block A2 requires horizontal effect, a finer grain and scale and that the middle block should be 6-storeys and the extent of brick on A3 should be extended to improve the urban grain and legibility. While I acknowledge the concerns I do not consider that the

Block should be reduced to 6 storeys at this location with sufficient variety in height provided as is evidenced in the contextual elevations and CGI's.

10.4.16. The applicant has also provided a refined frame support detail to balconies on the 4 storey elements along with a revised balcony treatment illustrating a combination of vertical railing and solid side aluminium panel. This provides that the balcony detail and treatments facing onto Belgard Square North have been refined to provide improved privacy for residents, mitigate noise levels and create an improved public realm. On the 4 storey elements, all projecting balconies are supported by a steel frame and are provided with a 50% solid face finished in a grey aluminium panel which it is proposed acts as a partial screen for residents' laundry. All private amenity space on the taller 7 storey elements are inset terraces within the form of the building. I consider that the approach proposed works well.

10.4.17. In relation to Block B2, the student accommodation block, 2 additional floors were added along the western edge of student accommodation block in response to the ABP opinion. The rationale for same is to improve consistency in height and scale improving the sense of enclosure to the central student courtyard at podium level and improving the sense of presence onto the public street. I consider that this increase in height works appropriately and creates a suitable presence on the street creating a landmark building at this focal junction opposite the TUD campus. The massing, setback and material treatment to the top 7th and 8th floors of Block B2 student accommodation at junction with the Belgard Road is also addressed with the applicant stating that the top 2 levels are provided with a change in material and fenestration treatment in order to give a subtle variation and emphasis to the building top signifying its importance as a 'Landmark' building at the prominent junction between Belgard Square North and Belgard Road. A lighter render finish is provided with a rhythm of recesses infilled with a gold/ bronze metal panel and glass system to create an elegant double height emphasis.

10.4.18. The PA have some concerns about Block B2 stating that the subdivision of the façade into 4 levels of brick and 2 render erode the strong urban response and that the 4:2 proportion of the 6-storey element should be 5:1 or 4:1 ratio. They also have concern at the massing of the 9-storey block from Belgard Road and the relationship between the brick lower levels and upper 2 floors which have a proposed smooth render finish and they consider that this high profile aspect

requires a higher grade material with a more durable finish and that the top storey should be omitted and the highest level set back to all top storeys. Firstly, in terms of the omission of the top floor, this is a focal corner at the junction of Belgard Road and Belgard Sq. North at the entrance to the TUD Campus. There is no focal landmark at this junction presently and the proposed structure effectively would assist in announcing the education use to the west. I do not consider there is any design or urban design rationale for reducing the height of this structure.

10.4.19. In relation to the material palette proposed, I would refer the Board to Photomontage 5 for the detailing of this building and CG1 C where the variation works well in the termination of the view along Belgard Sq. North. I would suggest that if the ratio of materials were amended on the 6-storey structure that it would alter the rhythm with the 9-storey element which has a similar finish for its top two storeys. A smooth render finish is proposed on the top two floors which as noted above is of concern to the PA and I would tend to agree with them but I do consider that the variation in material on the two upper floors works well in principle. If the Board have concerns at same it may be appropriate to include a condition which seeks agreement on a revised finish for these floors with the render replaced with an aluminium cladding in the same tone as the render proposed. Furthermore, I would also note that this Block, if the Board are minded to grant permission for this phase is not intended to be seen in isolation as is outlined in the masterplan document.

10.4.20. In relation to finishes the applicant in their response to the opinion provide specific detail in respect of the rationale for the variety of finishes and treatments proposed. They state that the overall intention is to provide a strong built form characterised by the use of brick to address the public realm and create an enduring and long lasting aesthetic. They refer to the types of different brick finishes provided to the apartment blocks, with red brick defining the principle 7 storey facades addressing Belgard Square North which they consider creates a strong rhythm along the street. A lighter tone, in a more buff colour brick is used on the 4 storey setback areas to provide variation. A darker brown brick is proposed to distinguish the student accommodation block and help give it a unique identity on the corner, separate to the residential apartments. A mixture of grey and bronze metal panelling is introduced to provide additional richness in material and variation. A render finish is predominantly used on the inner courtyards to provide a lighter aesthetic and to

facilitate brighter communal amenity spaces. While I consider that the material palette is appropriate and creates variety and interest both with the colour and texture of the materials proposed, if the Board are minded to grant permission that they may wish to condition a revision to the render proposed on the top two floors of the Student Accommodation Block (B2).

10.4.21. The PA also outline concerns regarding the length of the western elevation, Block B1, which is 70m in length and which they consider requires greater variation in façade to break up the expanse. This is the elevation which will address the new north south link (CGI-B). While the elevation is long in extent I would argue that the design of the block with the orthogonal form proposed provides that to create the impact from same that a considerable extent of elevation is required. The Architects Design Statement outlines in detail the design rationale for the forms proposed which I consider it is well considered and creates variety and visual interest. Therefore I consider that it is appropriately designed as a long block to facilitate this visually appealing sculptural form.

10.4.22. The PA also raise concern at the location of the bicycle parking space within Block B2 as it addresses Belgard Square North and I would agree creates a less active frontage along the street. While I appreciate their concerns I would consider that it has been integrated successfully into the design reading as a gate which is not an unexpected presence on a street. The PA have also raised concerns regarding some of the detailing of the design such as the external clip on balcony design which should be reconsidered, in their opinion, with particular consideration required for usability and level of exposure appropriate to balconies along heavily trafficked avenue corridors. They also consider that the parapet detail with concrete capping sitting on brick piers without a roof/lid does not adequately contain the street form appearing temporary with potential solutions provided such as the extension of the roof to meet the parapet or deepening the capping detail and they consider proposals to address same should be submitted for approval. I would suggest that this type of detail would be most appropriately addressed by agreement if the Board are minded to grant permission. They also state a preference for a greater level of integrated balconies rather than the vast majority being external noting that the proposed materials are crucial if a high quality durable finish is to be achieved and they do not recommend clear glass facades to balconies. While I acknowledge the

concerns regarding the balconies, I consider that the strategy behind the design of same, either external or integrated relates to the function of the street/façade upon which they are located and I consider that the strategy is well devised creating animation where same is required. I therefore do not concur that a greater number should be integrated. I consider that the detail of the design of the balconies as proposed could be agreed by condition.

- 10.4.23. I consider some specific consideration is required to the treatment of the windows on the ground floor amenity rooms of Blocks A which have glazing proposed addressing Belgard Sq. North in order to create some street animation. This is to be welcomed but what is critical is that this visibility is maintained and that measures are not undertaken to obscure the glazing once operational and a condition is recommended so that this does not transpire.

Density

- 10.4.24. The proposed density of the scheme is calculated as 146 units per hectare. This calculation is based on the 438 apartments and the student accommodation defined as 65 house clusters giving a total of 503 units on the site. One of the observers argues that the 403 bedspaces should be treated as individual units for the purposes of calculating density which would result in a density of c.244 units per hectare. Firstly I do not consider that it would be reasonable to calculate each bedspace as a unit. I consider that the applicant's argument that each cluster comprises a unit is much more logical with the cluster of bedspaces an approach proposed to and accepted by the Board in other applications. Therefore the matter for consideration is whether it is appropriate to provide a density of 146 units p/h on a site adjoining Tallaght Town Centre, within 500m of a high quality transport corridor and adjoining numerous employment hubs including Tallaght Hospital, County Council, The Square and TUD Tallaght. I consider that the simple response is that it is appropriate with sites, such as the subject site, specifically referenced for such development in the National Planning Framework and the Apartment and Building Height Guidelines. I would also note that the PA in their opinion state that the principle of redeveloping the site to a higher density is acceptable and encouraged.

Layout and Public Open Space

10.4.25. In response to the Boards Opinion the applicant addresses the matter in their documentation to landscaping and the scheme strategy. It is stated that the landscaping led approach of the scheme and significant green roof provision is facilitated for each block. Higher roofs are provided with extensive sedum roofs, lower roofs provided with intensive green roofs, planted with a range of plants and soft landscaping and while not be publicly accessible, provide a high quality visual amenity when viewed from upper residential storeys. They state that significant consideration is given to the creation of an exemplary urban quarter, which will be inviting and easily enjoyed by a wide range of persons. They reference the provision of a central public plaza which it is proposed will act as a focal point for the scheme with a range of benches and seating options, multi-use space and high quality planting. One of the observers criticises the design of this space and provides examples of civic plazas which they believe operate more successfully. However, I consider that the design proposed, the location of the space and the predominately residential use of the development with ancillary commercial spaces will be appropriate. The space will operate as a civic space within a predominately residential quarter rather than a civic space within a city centre so a careful balance must be achieved which I consider has been outlined.

10.4.26. I note the concerns expressed in one of observations which refer to the fact that no gardens are proposed at ground level with an apparent lack of significant greenspace with street areas narrow and a narrow public realm. I would suggest that the rationale for the development as proposed is based on the creation of a new urban quarter within Tallaght Town Centre. The requirement to sustainably develop such well-located and highly accessible lands requires the provision of a housing typology where amenity space is shared and private amenity space comprises balconies and similar. Therefore it is not appropriate given the location of the site to develop typologies where units would have private gardens.

10.4.27. I would also address the matter of the semi-private spaces which comprise 2 courtyards – located between Blocks A1/A2 and Blocks A2/A3. These spaces provide internal amenity and light and relief to the Blocks. Located within same, in both courtyards are single storey bicycle storage structures of c.98 sq.m and accommodate 120 bicycles each. While clearly there is a requirement to provide sufficient space to safely store bikes, I consider that the size and particularly the

usability and amenity of these courtyard spaces, and units adjoining same as I discuss in Section 10.5 below, would be greatly improved if these structures were removed and the courtyard design revised accordingly and I would recommend a condition is included, if the Board are minded to grant permission to address this requirement.

10.5. Transport Related Matters including Parking

10.5.1. A number of matters arise in respect of transport which I will address in turn.

Car Parking

10.5.2. One of the items raised by the Board in their opinion on the pre-application documentation was that further consideration/amendment of the documents as they related to the provision of car parking and mobility management within the proposed development was required with the specific requirement that the documentation submitted at application stage should provide a robust rationale for the amount of car parking that is proposed. It was specifically required that due regard was had to the pattern of demand for travel that is likely to arise with the occupation of the proposed development, as well as to the likely demand from households to have access to private transport even where it does not provide the primary mode for travel to work or school. It was required that the documentation should also take proper account of the prospective future development of the rest of the site, and to the prevailing patterns of car ownership in the area, where c.87% of households in the county and circa 73% of households in the electoral division were reported having at least one motor car at the last census.

10.5.3. The development as proposed provides 107 spaces at podium level in Block B and 22 surface car parking spaces around the site. A total of 129 car parking spaces for a total of 438 apartments and 403 student bedspaces. At the outset I would note that given the location of the student accommodation in relation to the TUD campus I consider there is sufficient argument for facilitating student accommodation without any parking.

10.5.4. In response to the Opinion from the Board the applicants have stated that the car parking strategy should be read in conjunction with the TIA and MMP which is reasonable as they are all related. They note that the existing level of car ownership within the County and Electoral Division is reasonably high, however given the rural

nature of much of the County which extends significantly into the Dublin Mountains, that a higher proportion of car ownership is unavoidable due to reduced availability of public transport options. They also note that much of housing stock within the Electoral Division (ED) of Tallaght-Springfield comprises suburban semi-detached housing with in-curtilage parking, which pre-dates the high capacity Luas line resulting in a greater challenge in terms of reducing car dependency and shifting towards more sustainable modal transport. They examined the Small Areas within the Tallaght-Springfield ED, which they consider are more comparable to the proposed development in that they comprise higher density, apartment development within close walking distance of Tallaght Town Centre and high quality public transport.

10.5.5. The TIA provides a detailed breakdown of 11 Small Areas (page 21 TIA), which surround the subject site, finding that 8% - 49% of households do not own a car with the small area (Area 5) which is most comparable to subject site (size and location) having the lowest level of car ownership. I would note that Area 5 as outlined in Table 5 of the TIA has a stated 48.9% of households with a car so it is not clear how the applicant can attest that this is the area with the lowest level of car ownership and may be a typo as I note it would appear that Area 3 has the lowest level of car ownership. Notwithstanding, they continue by stating that the TIA emphasises that existing car ownership rates are considered to represent a worst case scenario as these are without the benefit of the incorporation of specific measures to reduce car ownership and measures to facilitate a positive modal shift to sustainable transport use. They note a very salient point in my opinion in that car ownership does not necessarily equate to frequent car use and noted that the majority of residents commuting in the local area do so by means other than the private car resulting in the majority of cars remaining at home and used only for more infrequent trips with 3 car club spaces proposed to address this infrequent demand. If area 5 is considered in this regard it is stated at Table 6 of the TIA that 29% of workers drive to work.

10.5.6. It is proposed that a Management Company will be responsible for the effective and safe management of parking within the site with the proposed 107 spaces within the podium allocated to those residents who have opted to rent a parking space facilitating ending the lease of a space if required. In addition, the 22 on street spaces are dispersed at grade throughout the scheme with the intention that they are

used for short term parking and set down/drop-off with the Management Company responsible for managing the use of these spaces and it is proposed that a detailed management scheme will be clearly communicated prior to the occupation of the scheme. The convenient location of the site to adjoining employment and recreation uses is also outlined as is the significant quantum of cycle parking spaces proposed. Advanced discussions are ongoing with a local Bicycle Club operator and 20 club bicycles are proposed to be located within the plaza to the south of the Student Accommodation block.

- 10.5.7. It is stated that the site represents one of the best suited locations for the provision of a near car-free development and it is envisioned that the proposal will comprise a landmark development in terms of sustainability and this will be communicated at all points in the marketing process in order to ensure that prospective residents are fully aware that private car ownership will not be facilitated for all residents which is in line with the 2018 Apartment Guidelines, which permit 'car-free' developments provided this is fully communicated within sales and marketing processes.
- 10.5.8. I note the concerns expressed by a number of observers in respect of the significant shortfall in parking that may result in illegal parking in nearby estates and the provision of no car parking for the student accommodation. I also note the concerns expressed by the Roads Section of SDCC which state that while the site is a good candidate for a lower parking provision, and SCCC Roads Department recognise the New Apartment Guidelines (March 2018) and do not have any issues with this principle and acknowledge that lower parking provisions were applied during preplanning but they are concerned that the significant under provision of car parking that is proposed as part of this development will not be generally acceptable and may result in parking and traffic issues both within the development and on the surrounding public road network.
- 10.5.9. The Roads Department consider that the proposed parking provision is not sustainable and does not mitigate against future potential changes of residential use/market within the development. They proffer an example such that if the student accommodation element was to become unfeasible in future years and may be used for longer term residencies where it would be likely that additional car parking would be required, that this is not available due to the low parking provision within the proposed development. I would note that to change the use of the proposed student block that a separate grant of permission would be required

which would necessitate an assessment of matters such as parking. The Roads Department consider that the trip generation figures should be reworked to take account of a car parking provision which is based more closely on the maximum standards as set out in the current SDCC County Development Plan, which will mitigate against additional future car parking limitations which may result in illegal/dangerous parking within the development and on the surrounding public road network. I would note that while the PA in their opinion note the concerns expressed by the Roads Department and that they recommend refusal on the basis of insufficient provision with parking provided at 0.24 spaces per apt but that the PA consider that the location of the site and the public transport available make the site suitable to consider reduced car parking provision with the provision acceptable.

10.5.10. I consider that this is critical to the consideration of the car parking provision on the site. Is this site suitable for such a low provision of car parking on the basis of its location adjoining employment nodes and proximity to the Luas or is it not. Section 4.19 of the Apartment Guidelines (2018) state, in respect of central and/or accessible urban locations, that in larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.

10.5.11. I would suggest to the Board that the subject site comprises an appropriate location where such car parking provision would be appropriate with the provision in the proposed scheme substantially reduced comprising 0.24 spaces per unit. I consider that if a substantially reduced provision of parking is not appropriate on a site like this then it is unclear where it would be appropriate. Furthermore, if additional parking spaces are provided this in turn creates additional traffic movements which impacts on the adjoining road network and therefore, the proposal to limit parking has a more positive impact on the operation of the adjoining road network. I do however consider that the management of the car parking spaces is critical to the successful management of the development and I would suggest that if the Board are minded to grant permission that a condition is attached which requires the agreement of a car

parking management plan. I would also note that the Roads Department state that the purpose of the proposed temporary car has not been indicated and but assumed for the construction period of the development. However it is clear from the documentation submitted that the temporary car park is proposed to facilitate Blocks A1, A2 & A3 while Block B1 & B2 are constructed and when Blocks B complete, which includes the proposed car parking, that the temporary car park will be removed. This is reasonable. I would finally note that the Roads Department recommend that 10% of car parking spaces are designed to be suitable for charging for electric cars and I consider that this is appropriate.

Cycle parking

10.5.12. Another matter raised by the Board in the Opinion related to cycle facilities. It required that the documentation submitted at application stage should demonstrate that the cycle facilities along streets are designed in accordance with the National Cycle Manual and that they provide an acceptable quality of service with continuity and suitable priority across junctions; that they avoid conflict between cyclists and pedestrians; and that they allow access to destinations on both sides of the street for cyclists. Segregated facilities should only be provided where the criteria set out at section 1.7 of the manual have been met. It was also required that the documentation should show cycle parking in secure and convenient locations across the development to meet the needs of occupants and visitors and in various formats that are accessible and easy to use by cyclists with the range of physical capacities that would be expected in a residential scheme. The documentation should indicate how the amount of cycle parking would comply with the relevant guidance set out in the development plan, section 5.5 of the National Cycle Manual and section 4.15 of the apartment design standards.

10.5.13. In response to same the applicant states that all cycle facilities have been designed in accordance with the National Cycle Manual (NCM) and in consultation with the NTA and SDCC and a detailed overview of the cycle lane design throughout the scheme is provided in the accompanying documentation. I consider that this is acceptable. In terms of the proposed cycle parking it is stated that it is provided in secure, convenient locations throughout the scheme within bicycle storage areas within building blocks or the internal courtyards. It is stated that 1472 spaces are required with 1227 spaces proposed which is a provision of 75% of the cycle spaces

required by the Apartment Guidelines and noted that deviation from the required standards shall be at the discretion of the Planning Authority and subject to adequate justification. Such justification is considered to arise having regard to the existing modal split within the area, the availability of public transport and close walking distance from the site to key destinations. It is noted that the spaces allocated for student accommodation residents will be higher density stacked versions (suitable for higher mobility users) with residential blocks having a greater proportion of traditional Sheffield stand arrangements. I would note that the Roads Section state that the provision is acceptable to SDCC.

10.5.14. I consider that the arrangements within the layout for cyclists is appropriate however as I have outlined elsewhere in this report I have concerns at the location of the two bicycle shelters within the courtyards of Blocks A. I consider that they compromise both the amenity of the spaces themselves and also the amenity of the 4 ground floor apartments which address them. In this regard I have recommended that these shelters comprising 240 bicycle spaces should be omitted from the scheme. This I would note would reduce the number of bicycle parking spaces to 987 spaces which is c.67% of the 1472 spaces required. However, as noted by the applicants in their justification I consider that the site is in such close proximity to employment and public transport that such a reduction is appropriate. I would also note that the use of the storage spaces could be monitored and if not sufficient in operational terms that alternative locations either within this phase of the proposal or within Phase 2 could be provided.

Road Objectives

10.5.15. The County Development Plan pertaining to the site includes a roads objective through the site which provides for a north south link through the site to connect to the Airton Road to the north which it is also proposed to extend. The applicants state that the current proposal delivers the required north-south link from Belgard Sq. East as required in CDP and will be offered to be taken in charge as requested to ensure future connectivity to Airton Road Ext with permeability required for pedestrians, cyclists and internal vehicular traffic. It is proposed that as part of the proposed development that the road terminates at the northern boundary of the site as the applicant does not own the lands to the north onto which the road would connect.

10.5.16. Both the Roads Department and an observer reference the proposed new link road between the Airton Road and Cookstown Estate Road, to the north of the site, and to the fact that the road is not included within the current application and therefore that there can be no reliance on same to serve the proposal. SDCC Roads Department consider the road integral to the development and should be delivered as part of same with reference to consideration of future delivery of same in documents referencing concerns expressed in S.247 meetings and that while the internal north south link is included to address connectivity, that the road terminates and is a cul-de-sac. I would suggest that the documentation references the proposed link road to the north from the perspective of future connectivity and permeability which are central tenets of both DMURS and the Urban Design Manual. It is clear that the lands to the north are not within the applicant's ownership and therefore they cannot propose to deliver a road on lands they do not control. What they are proposing is to deliver a road on lands they do control which they propose can be taken in charge by the Roads Department who can assist in the delivery of the remaining link. I consider that this is completely reasonable.

Layout

10.5.17. The Roads Department state that during preplanning consultations they stated that a single access would only be sufficient for 200 vehicles associated with the development, and that development in excess of 200 vehicles would require the second entrance to the north. They continue by stating that in the absence of the Airton Road Extension proposal (to the north) that the proposal relies on a single vehicular access point via Belgard Sq. N which is an inadequate means of serving the proposal leading to traffic congestion with the proposal premature pending the resolution of the road network to serve the proposal and should be refused for this reason. I would also note the observer to the north of the site state that no details have been provided of the SDCC road objective for the Airton Road extension and the proposed scheme may affect the deliverability of the objective with the masterplan document showing the road objective outside the site boundary with indicative road alignment impacting on service yard of retail park with the road alignment requiring consultation.

10.5.18. I would suggest in this regard that the traffic generation associated with the proposal as outlined in the TIA is appropriate for the access arrangements proposed.

I would also note that the applicant is delivering the north south road required in the Development Plan. While the application boundary includes the northern boundary the development of this area is proposed as Phase 2 and is not part of the subject proposal therefore the proposed development herein would not affect the deliverability of the road objective to the north. The applicant does not control the lands to the north. Furthermore, these road objectives are in a Plan which is now 3 years old and the Roads Department do not refer to any proposals to advance same. I note that the applicant refer to the long term roads objective located to the north of subject site, known as the Airtown Road Extension and state that the exact route of the new road not yet been determined by SDCC and that direct discussion between SDCC and land owners along route due to commence in the near future. They further state that the proposal is unaffected by Phase I of the scheme and that the design of Phase II is progressing based on a layout that would accommodate different scenarios which will allow for delivery of the road. I consider that this is reasonable particularly as Government policy seeks to provide much needed residential development to address the current housing crisis particularly in well served areas such as Tallaght. Therefore if evidence is provided to determine that the access arrangements proposed can facilitate the development proposed I do not consider that it is reasonable to prevent the development of the lands on the grounds of prematurity pending the determination of a road layout which as outlined in the documentation by the applicant can be accommodated to the north of the site having regard to their design proposals for Phase 2.

Impact on Road Network

10.5.19. Both the Roads Department and the observer to the north raise a number of matters with the TIA stating that the TIA significantly underestimates quantity of traffic generated with the apartments alone generating 230% more traffic than assessed with the proposal failing to demonstrate that the road network can accommodate the proposal. They consider that the trip generation figures should be reworked to take account of a car parking provision which is based more closely on the maximum standards as set out in the current SDCC County Development Plan, which will mitigate against additional future car parking limitations which may result in illegal/dangerous parking within the development and on the surrounding public road network. While traffic is noted as being a concern to the local community in the report from

the Roads Department, increasing the parking provision on site is not going to address traffic congestion. What is critical in the development of prime urban sites like the subject site is that an opportunity arises to limit parking and thereby traffic associated with the development. Increasing parking on site as suggested is only going to increase the impact on the road network and I do not concur with the proposals to increase parking on the site for this reason and those outlined above in relation to car parking.

Construction Traffic

- 10.5.20. The observer to the north of the site who is the owner of the Belgard Retail Park states outlines their concerns in respect of the impact of the proposed construction traffic. I outline in Section 10.2 the matter relating to the legal considerations addressed in the observation. The observer outlines that the access road to Belgard Retail Park is the only construction access proposed (pg. 18 Construction Methodology & Phasing Mgt Plan). They state that without prejudice to their position on the legal considerations, that they are concerned about the impact of the proposal on the Retail Park with the TIA deeming it unnecessary to provide a detailed analysis of the potential impact of construction with no quantum of the traffic generated during the construction provided which is a serious deficiency. It has not been demonstrated how the road network available to the applicants can facilitate the nature and volume of construction traffic arising, in their opinion.
- 10.5.21. They continue by outlining that the Retail Park relies on the Airton Road access for customer and servicing/waste collection requirements and that the use of the access for construction traffic will significantly impact retail park operations with increased congestion at the junction negatively affecting trade with no management/mitigation proposed, impacts on the health and safety of customers/tenants with contractual commitments to tenants in terms of easements over the access road with potential impediments. They refer to the absence of a quantification of potential construction traffic volumes, which they note are not stated to be one or two way with high volumes of construction traffic potentially resulting in queueing and congestion within the existing road network adversely impact on Belgard Retail Park. There are no details provided, they consider on how the proposed construction entrance management will be controlled and they estimate that traffic associated with construction is personally estimated at 206 vehicles based on CSO data which is not considerably less than operational stage as suggested.

- 10.5.22. The proposed construction access on Airton Road Extension is located opposite the existing entrance into the Retail Park. I would note that construction impacts/construction phase are addressed in Section 6 of the TIA and section 6.6.2 of the EIAR. The TIA states at the outset that the construction period is temporary in nature with the EIAR estimating that the Phase 1 construction period would be no longer than 3 years. The TIA then outlines that the construction traffic will comprise vehicles associated with staff and vehicles removing and delivering materials to and from the site.
- 10.5.23. In relation to the vehicles associated with the staff I note at Section 3.7 of the Construction Methodology and Phasing Plan that no on-site provision is proposed for car parking by site construction personnel. Therefore traffic associated with staff on site will not be significant. Furthermore, I would note that the working hours proposed (0700-1900 Monday to Friday & 0700-1300 Sat) and note that these hours are outside of the peak hours associated with the operation of the retail park and therefore I would suggest to the Board that the impact on the observers operations from traffic associated with construction staff would not be significant.
- 10.5.24. The other construction traffic associated with the site, delivery and removal HGV's are, as noted in the TIA, spread across the day and therefore do not create significant congestion given their ongoing entry and departure during working hours. While neither the TIA or EIAR at Chapter 6 (Material Assets – Traffic) appear to quantify the numbers, with the TIA stating that that it would be less than that generated by the operational phase which is estimated at between 58-69 movements at junction 4 (Belgard Sq. N entrance at opening year peak hours). However, Section 2.6.1.6 of the EIAR and Section 3.9 Construction Methodology and Phasing Plan addresses construction vehicle numbers and estimates that based on the construction contract value that the maximum construction vehicle numbers will be c.60 movements per day. This would be circa 6 an hour over a 10 hour day which would not be significant. The observer's traffic expert estimates 206 vehicles but I am not clear if they mean one or two way or if this includes staff. Taking the operational phase estimate of between 58-69 movements at peak hours and spreading it over the 10 hour day would give rise to 6-7 movements per hour. I do not consider that this is significant.

10.5.25. I note the Construction Methodology and Phasing Management Plan submitted and I note that it proposes the strict management of access to the site and that a construction traffic management plan is developed and agreed with the Roads Department for the construction phase and I consider that this should be conditioned if the Board are minded to grant permission.

Mobility Management Planning

10.5.26. The Roads Department note that the applicant has included a Mobility Management Plan for the masterplan development, which comprises 1,548 residential units and 403 student bed spaces. The preliminary plan refers to bus, light rail, cycling, pedestrian and private cars within the development and the surrounding area. They note the specific measures including appointing a Mobility Manager, the provision of car sharing, low car parking provision, cycle/pedestrian facilities and the use of technology will be employed as part of the mobility management plan for the development. Specifically the low parking provision in this development will help to promote the use of public transport. They consider that car parking on the site will have to be managed to prevent dangerous/illegal parking both within the site and in the areas surrounding the development and request further information should be provided on the parking management structure to be implemented on the site.

10.5.27. As I have outlined above, I consider that the management of the carparking spaces will be critical to the success of the approach undertaken and I have recommended that the developer submit a management plan for same for the agreement of the Planning Authority. The Roads Department also recommend that a revised Mobility Management Plan is submitted within six months of occupation of the first dwelling, in order to establish the success of the mobility management plan in the initial phases of the development and I recommend that such a condition is attached to any grant of permission.

Other Matters

10.5.28. While the Roads Department have recommended permission is refused they have also outlined a number of matters which should be subject to condition should the Board decide to grant permission. These are set out in turn. They require that the design and signal timings of all signalised pedestrian crossings are agreed with

SDCC Traffic Management prior to commencement of development. They require that details of the proposed toucan crossing on Belgard Road to the north of the Belgard Road/Belgard Square /IT Tallaght roundabout which will provide access from the development to IT Tallaght should be agreed with SDCC Roads Department. I would recommend that the Board include these matters as conditions if they are minded to grant permission. They also note that allowance has been made along Belgard Square North for the future implementation with Bus Connects and that this has been agreed during preplanning meetings between the NTA, SDCC Roads Department and the applicant.

10.6. Residential Amenity

Internal

- 10.6.1. The matter of residential amenity was addressed in Item 2 of the Opinion issued in response to the pre-application consultation process and specifically it sought further consideration of the documents as they relate to the standard of amenity that would be provided to the occupants of the proposed development. It was requested that the documentation submitted at application stage should be sufficient to demonstrate that the proposed apartments and student accommodation would be provided with sufficient internal accommodation, privacy, daylight and sunlight, and private and shared open space, and that they would comply with the applicable requirements of the development plan and the apartment design standards issued in 2018, including its Specific Planning Policy Requirements. In response the applicant addressed the matters under the headings of internal accommodation, privacy, daylight and sunlight and open spaces. I will address each in turn.
- 10.6.2. In relation to internal accommodation, a detailed Housing Quality Assessment (HQA) sets out the residential floor areas required including overall area, storage spaces and private amenity space. It is stated that Specific Planning Policy Requirement 3 (SPPR 3) of the Apartment Guidelines provides for minimum apartment floor areas with the HQA demonstrating that in all cases, the minimum requirements as set out in SPPR 3 are met, and in many cases exceeded with 52% of apartments exceeding the 10% additional floorspace requirement as required by the Apartment Guidelines. I consider the documentation presents this information in a legible format clearly outlining compliance with the Guidelines. In terms of privacy it is stated that all

apartments are orientated to ensure that no overlooking occurs and that sufficient distances are provided between opposing windows with separation distances of between 30 and 45m provided throughout the scheme. The block layout is carefully considered in my opinion to balance satisfactory separation distances and the creation of a strong urban form.

- 10.6.3. In terms of daylight and sunlight, it is stated that a Daylighting and Suncast Report demonstrates that access to daylight is very positive throughout the scheme with all 4 courtyards within the scheme receiving adequate levels of sunlight on the 21st March with access to sunlight increasing as the months progress. It is stated that 80% of habitable rooms within the scheme meet average daylight factor targets as set out by BS 8206-2:2008: Lighting for buildings - Part 2: Code of practice for daylighting which exceeds international environmental assessment standards which include BREEAM, which targets a figure of 80% and LEED, which targets a figure of 75% in order to award a credit under the daylighting criteria. It is however acknowledged that a proportion of rooms do not meet the ADF target.
- 10.6.4. I would note that it is imperative to consider that in a scheme such as this proposed high density urban development that a balance is required between the development of a high quality sustainable urban quarter and the provision of appropriate levels of amenity. The applicant considers the proposal is in line with the provisions set out in the Apartment Guidelines in relation to daylight provisions where the requirement to ensure the sustainable use of this prime, zoned site, requires higher buildings which will provide that buildings on the lower floors have reduced access to natural daylight. This is coupled with the desire to create a generous public realm necessitating higher buildings reducing the ability to achieve 100% compliance with ADF targets.
- 10.6.5. Section 6.7 of the Guidelines states that where an applicant cannot fully meet all of the requirements of the daylight provisions that this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting taking account of its assessment of specific. This may arise due to a design constraints associated with the site or location and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape

solution. The PA state that the rationale for not meeting sunlight standards in c.20% of units due to density and high buildings is acceptable but that it would be beneficial if compensatory design solutions were set out in more detail and it is not clear from the report which units do not achieve minimum and it would be useful to ascertain nature of units (aspect and orientation). While such information would be useful I do not consider it is critical to the consideration of the merits of the scheme. I consider that the wider planning objectives for the regeneration of these lands zoned for regeneration located adjacent to the town centre and employment and educational hubs in close proximity to public transport provides sufficient justification for same.

- 10.6.6. In relation to dual aspect units, I note that one of the observers states that as only 37% of the units are dual aspect that the proposal does not meet new Apartment Guidelines. However, the Guidelines state at Section 3.17 that it is a policy requirement that apartment schemes deliver at least 33% of units as dual aspect in more centre and accessible locations. The proposal would therefore comply with the Guidelines.
- 10.6.7. In terms of north facing single aspect units some concern has been expressed by the PA in particular regarding the location of north facing single aspect units in Blocks A2 and A3 fronting Phase 2 of the proposed development. The Guidelines state at Section 3.18 that north facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. It continues by stating that particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings. In relation to the north facing single aspect units in Blocks A2 & A3 they address the site of proposed Phase 2 and in this regard until that is developed they will address the temporary car park and an undeveloped site. I note however below in relation to phasing that it is anticipated that Phase 2 is proposed imminently. The overall development of the site would provide that these units would address a wide shared surface zone with street along the edge and landscaping which would create animation and activity. Block A3 units would also have oblique views towards the proposed Civic square. It is inevitable that in order to provide for the most sustainable use of urban land and in the creation of a new urban quarter for Tallaght that a number of units may not meet the requirement, however I consider

that the location of the site and its adjoining internal and external amenities adequately address the inadequacy.

10.6.8. In terms of the concerns expressed at the amenity value of ground floor single aspect units A1 and A2 the PA refer in particular to the north facing single aspect ground floor units in A1 & A2 given their north facing aspect, ground level location and potential for adequate light and the location of the bicycle parking which divides the open space. They have a preference for the omission of units (units 4 & 5 core 1, Block A1 and 7 & 8 core 3, Block A2), relocation of bicycle parking and increasing open space in centre of courtyards. I would concur with the proposal to relocate the bicycle parking within both of the courtyards in Block A and I consider that the bicycle parking structure break up the space and their omission from these spaces would improve the amenity of the aforementioned units. I consider that the removal of same would provide that they would meet the requirements set out in the Guidelines for compensatory measures for north facing units given they would address a courtyard space. I have addressed the matter of these bicycle parking structures in Section 10.5 above and consider that the improved amenity from their removal outweighs the benefit provided by the bicycle parking given the extent of spaces proposed on site and the sites proximity to the town centre and public transport.

10.6.9. In relation to Private and Shared Open Space the applicant in their response to the Opinion from ABP state that all apartments are provided with a private amenity space in the form of a terrace, balcony or wintergarden which meet or exceed private open space requirements with a number of apartments provided with very generous balconies availing of views. They state that communal open space is provided throughout the scheme and will be easily accessible to all residents with proposal significantly exceeding the requirement with 4,266 sqm of communal open space provided within Courtyards A1, A2/A3 and B1. Reference is also made to internal amenity space. In relation to the student accommodation block it is noted that there is no standard in place for the provision of communal open space for student accommodation with a courtyard of 1,250 sqm provided which equates to 3 sqm per student with c.815 sqm of internal communal space provided for the use of student residents which results in a total of 5.1 sqm per student. I consider that this is acceptable. I also note the landscape design rationale and would refer to Section

10.4 of this assessment above which specifically addresses open space. The PA note that while the provision of private open space is sufficient with semi-private space (courtyards) receiving adequate sunlight that the total area for same is provided rather than areas of individual semi-private spaces with public open space proposed as a civic plaza. While I appreciate the requirement for specific details in respect of the individual semi private open spaces within the scheme the proposal meets the overall standard required and therefore I consider that it is appropriate.

External

10.6.10. The most proximate existing residential dwellings to the subject site comprise a small development of single storey residential units, Saint Mary's Close located to the east of Belgard Road. The PA note that a shadow analysis was not submitted to show the impact on the closest dwelling on the eastern side of Belgard Road with overlooking likely from student accommodation building which is a negative impact on residential amenities. However, I would note that there is a c.37 metre separation distance between the proposed development and these units and the proposed student accommodation is 6 storeys in height as it addresses these houses (c.20.9m). I consider that the separation distances are satisfactory given that this is an urban area adjoining the town centre and employment hubs such as Tallaght Hospital. To the west of the site there is an existing apartment development known as Exchange Hall which is 7 storeys. The subject site is separated from same by a site in the ownership of SDCC. Block A1 adjoins the western boundary is 6-7 storeys and there is a separation of c.11/11.5 metres between the western elevation of Block A1 and the western boundary of the site adjoining the site to the west. I consider that the approach taken to the design and location of Block A1 as it relates to the site to the west is appropriate.

10.7. Phasing

10.7.1. Item 5 of the Opinion issued by ABP at pre-application stage relate to phasing and sought further consideration/amendment of the documents as they relate to the phasing of development on the site and its integration with the development and regeneration of the town centre. It was requested that the documentation should indicate the timeframe in which the proposed development would proceed and that the infrastructure required to support and facilitate development on the rest of the

application site and on neighbouring land was provided in a timely manner. It was also requested that the documentation should also demonstrate that the layout and design of the development would be compatible with the proper planning and sustainable development of adjoining land.

- 10.7.2. In response the applicant refers to the 'Masterplan' approach undertaken to the development of the site which takes full cognisance of the Phase I and Phase II proposals. In addition to the development potential of the adjoining land to the west (ownership of SDCC) the proposed development has been designed by way of the masterplan approach and in line with ongoing discussions with SDCC to ensure no conflict with the future development of their lands. I consider that this approach is reasonable.
- 10.7.3. The applicant also refers to the Construction Management and Phasing Management Plan which they state provides an analysis of the proposed demolition and building out works for the development which is expected to have a final completion date of Q4 2021 with a phasing programme provided. The plan outlines the phasing proposed which is split into 5 stages commencing with the southern portion of the primary north-south street which they state is an important objective for the site and surrounding area with the Applicant proposing to deliver this road within three years of commencement of construction. I note the PA's concern regarding the phasing of the proposal which they consider requires consideration in terms of the delivery of infrastructure and future proofing scheme in case of delays in commencing construction phases and north south link should be completed to north site boundary prior to occupation of any residential units and that the plaza should be completed in the first phase and may be preferable to commence with B1 & B2 and work from Belgard Road westwards negating the need for temporary car parking. However I consider that the proposed phasing scheme as outlined is reasonable.
- 10.7.4. I would also note that concern is expressed by an observer at what is termed the lack of clarity on Phase 2 and the requirement to specify what is proposed in phase 2 before the first phase is permitted. I consider that the applicants have provided sufficient detail by way of the site masterplan to indicate the strategy for the development of the overall site and I do not consider it would be reasonable to expect anything further than what is provided. Furthermore, as outlined in response to Item 5, the applicant states that design proposals for phase II are well advanced

and it is anticipated that planning approval will be in place during Q2 2019 with a revised phasing plan put in place for the phase II proposal but likely to be some construction synchronicity between both schemes.

- 10.7.5. There is concern expressed by an observer that the demolition phase will take 3 years and that a 10-year permission is sought. The applicant in their response to Item 7 states that an overall construction build time of seven years is expected for the full 7.2 hectare site to deliver c.1,500 residential units, a student accommodation scheme, a childcare facility, community centre, public plaza and commercial units with no additional infrastructure outside of that proposed as part of the subject planning application required to facilitate the proposed development. I consider that given the scale of the proposal that a seven year timeline is appropriate. I would however note that a 10-year permission is sought for the proposed development which is Phase 1 and I do agree that it would appear excessive. In this regard I would recommend that if the Board are minded to grant permission for the proposal that a seven year permission is conditioned. I would note that the documentation states that the period envisaged for demolition is 8/9 months and not the 3-years suggested by an observer.
- 10.7.6. I would also note that the documentation addresses the infrastructure proposed outside of the site with due cognisance had of these external local proposals, which may integrate with the proposed scheme including the Cookstown Extension Road recently approved under Part 8 process and BusConnects programme with liaison undertaken with both SDCC and the NTA respectively.
- 10.7.7. In relation to the long term roads objective to the north of the subject site which is known as the Airton Road Extension (which I have addressed in Section 10.5 above) as noted above, the exact route of the new road has not yet been determined by SDCC with consultation between SDCC and land owners along the route due to commence in the near future. I would note that as outlined by the application this road is not affected by the proposed Phase 1 element of the scheme which is accessed from Belgard Sq.N and I note the reference to the design of the Phase II site which is being progressed based on a layout that would accommodate different scenarios which will allow for the delivery of the road. I consider that this is reasonable.

10.7.8. I also note the applicant's reference to the continued engagement with SDCC regarding the proposed HeatNet project which intends to develop a pilot 4G (fourth generation) district-heating network linked to waste-heat generated from the new data-centre on Belgard Road (Part 8 approved December 2018) with the applicant providing letter of consent to SDCC for inclusion of pipes which traverse the subject site within the Part 8 consultation and that they continue to support the project subject to detailed design and agreement to ensure no conflict with services or structures associated with the proposed scheme should permission be granted for both the subject proposal and the Heatnet project. This appears to be a rational approach to the overall development of the area.

10.7.9. Finally in terms of phasing, one of the observers states that the proposal should deliver the public open space early in the scheme and I consider that while this is reasonable that cognisance must be had of the scale of the construction project proposed and I consider that the phasing strategy as outlined is a reasonable balance between the delivery of residential units, a new urban quarter and the health and safety requirements delivering same.

10.8. **Other Matters**

10.8.1. Item 6 of the Opinion issued by ABP relating to the pre-application consultation phase required further consideration of the documents as they relate to water supply and drainage infrastructure and that the documentation submitted at application stage should be sufficient to demonstrate that the proposed surface water infrastructure would be adequate to cater for the proposed development and whether the council had indicated its agreement or otherwise to the proposals in this regard.

10.8.2. In response the applicants state that their engineering consultants met with SDCC Water Services a number of times (most recently on 14th August 2018) to discuss and agree the water supply and drainage infrastructure proposals for the application with further subsequent discussions, in the form of email and telephone correspondence, taking place in order to clarify the proposed surface water drainage design strategy. The documentation submitted as it relates to surface water drainage shows that 3 no. separate drainage catchments are proposed. The design approach used in determining the attenuation volume is part of an overall integrated drainage network, comprising intensive green roofs, extensive green roofs, bio-retention strips

with filter drains under, as well as conventional pipe and underground storage system.

10.8.3. The applicant states that it should be noted that the concern of SDCC relating to the potential undersizing of the proposed attenuation system was resolved via further correspondence which further explained the design methodology of applying a runoff coefficient of 0.84 (winter) and 0.75 (summer) for hardstanding and landscaped areas, while using a Time Area Diagram input for the green roof areas, as opposed to reduced runoff coefficient. A catchment overview table is provided demonstrating that the attenuation system and drainage proposal was acceptable and no further clarification was requested. I consider that the strategy as outlined and the response to the Further Consideration is acceptable and I would note that the Drainage Division of South Dublin County Council in their response state that they have no objection subject to a report showing before and after for Phase 1 of hardstanding area, grasslands and respective run-off coefficients which I would suggest to the Board could be conditioned.

10.8.4. It is also noted that Irish Water have provided a confirmation of feasibility and a Statement of Design Acceptance. An observation states that Part V should apply to the student accommodation element. However Part V does not apply to student accommodation and the Board have made a number of decisions on student accommodation proposals submitted under SHD where a Part V condition was not applied. There is a concern that the fire safety report does not address equipment available to reach the 10-storey structure. I would note that issuing of the fire safety certificate is undertaken outside of the planning code. Concern expressed regarding the proposed naming of the scheme using Belgard in the title are matters which are agreed with the Planning Authority by condition prior to commencement of development.

10.8.5. I would also note the concerns raised about aviation safety and the documentation and correspondence submitted to address same. I consider that a condition as recommended by the PA would be appropriate.

10.9. **AA Screening**

10.9.1. An AA screening report was submitted with the application. The report at the outset notes that the proposed development is not directly connected with or necessary to

the management of Natura 2000 sites. I consider that this is reasonable. The screening report describes the development and identifies the Natura sites (Fig. 3&4), their features of interest and the potential impact of works on these features of interest (Table 1). Figure 5 presents data which indicates that there is no watercourse in the vicinity of the proposed project and there is no direct pathway to a Natura 2000 site with an indirect pathway existing between the site to an SAC via the surface/foul water networks to Ringsend WWTP with the screening report indicating all Natura 2000 sites within 15km of the indirect pathway in Table 1. It is also noted that there is no intact biodiversity corridor to Natura 2000 sites.

10.9.2. To this end the applicant has undertaken a search of all sites within the 15km catchment (I have included a map in the accompanying Photos showing same). I consider that this is reasonable. These are as follows:

- Glenasmole Valley SAC (Site Code 001209) c.3.5km from the application site;
- Wicklow Mountains SAC (Site Code 002122) c.5.9km from the application site;
- South Dublin Bay SAC (Site Code 000210) c.11.1km from the application site;
- Rye Water Valley/Carton SAC (Site Code 001398) c.11.3km from the application site;
- Knocksink Wood SAC (Site Code 000725) c.13.5km from the application site;
- North Dublin Bay SAC (Site Code 000206) c.14.8km from the application site;
- Red Bog, Kildare SAC (Site Code 000397) c.14.9km from the application site;
- Wicklow Mountains SPA (Site Code 004040) c.7.3km from the application site;
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) c.11km from the application site;
- Poulaphouca Reservoir SPA (Site Code 004063) c.14.1km from the application site.

10.9.3. I would note that the screening report outlines the conservation objectives and qualifying interests for each of the sites. They also outline whether any potential impact arises and as appropriate the significance of same. I consider that this is a very reasonable approach and would concur with the rationale for each.

10.9.4. In respect of the potential impacts arising I would note that these can be addressed by way of potential construction impacts and operational impacts. In terms of

construction impacts, these relate to the demolition of the existing buildings on site and the disposal of this waste which I note it is proposed to dispose of to a registered facility. I would also concur with the opinion expressed in respect of the bat survey report included in the EIAR which concludes that the likelihood of bat roosts within any of the structures is low with low bat activity recorded in the survey undertaken.

- 10.9.5. Further potential impacts during the construction phase are stated to comprise all construction activities which may pose a potential risk to watercourses as surface water arising at a site may contain contaminants. However the site is not directly linked to any watercourse. It is proposed to reuse existing surface water connections on site. In this regard having regard to the surface runoff arising, it is reasonable to assume that this would not be perceptible in the offshore European sites given the significant separation distance and the significant level of dilution and mixing of surface and seawater which would occur.
- 10.9.6. During the operational phase, stormwater management is proposed by way of SuDS with the features outlined. Having taking into consideration the effluent discharge from the proposed development works, the capacity of Ringsend to treat effluent (1.9 million people), the distance between the proposed development site to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other effluent and surface runoff, it is reasonable to assume that this would not be perceptible in the offshore European sites given the significant separation distance and the significant level of dilution and mixing of surface and seawater which would occur and I would concur with the conclusion that this development would not give rise to any significant effects to designated sites.
- 10.9.7. As outlined, none of the sites in the list above have a direct pathway from the proposed development site to a Natura 2000 site. I would concur with the applicants Screening Report that they do not require further consideration. I also note in the Screening Report that the application site does not itself support any habitat which might be used by any species listed as a qualifying interest. This is supported by the findings in the EIAR in relation to biodiversity.
- 10.9.8. Therefore, the development would not be likely to have any significant effects on any Natura 2000 site, either directly or indirectly. This conclusion is consistent with the

appropriate assessment screening report submitted with the application. Similarly there are no direct or indirect effects that would be likely to have significant effects on any Natura 2000 site in combination with any other plan or project.

10.9.9. Having regard to the nature and scale of the proposed development on serviced lands, the nature of the receiving environment and proximity to the nearest European site it is reasonable to conclude that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment is not therefore required.

11.0 EIAR

11.1. Introduction

11.1.1. This application was submitted to the Board after 1st September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

11.1.2. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and section 172(1)(a) of the Planning and Development Act 2000 (as amended) provide that an EIA is required for infrastructure projects comprising of urban development which would exceed:

- 500 dwellings
- an area of 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

11.1.3. The rationale for the submission of an EIAR is outlined in Section 1.3. It is stated that as the development involves a total of 438 residential units and 403 student accommodation bedspaces within 65 clusters a total of 503 units are proposed and therefore exceeds the 500 unit threshold. The application site has an area of 7.2 hectares of which the proposed development comprises 3.45 hectares. The applicant states that notwithstanding that the land use of the zoning would satisfy the definition of 'business district' that given the sites location within the 'town' of Tallaght that it is considered prudent to apply the precautionary principle and consider it as a

business district. While it could be argued that student accommodation does not come within the definition of dwelling I would agree with the applicant's contention that the site is within the business district for the purposes of 10(b) of Part 2 of Schedule 5 and as the site area exceeds the 2 hectares threshold for same that an EIAR is required.

11.1.4. The EIAR is laid out in three documents, the main document (Volume II), the appendices (Volume III) and the non-technical summary (Volume I). Chapter 1 of the main document is an introduction which sets out the relevant legislation and the format and structure of the EIAR as well as outlining the experts involved in preparing the document. It also outlines a series of projects which are considered for cumulative impact purposes these include Phase 2 of the proposed development which I note is planned/proposed as per the masterplan rather than having an extant permission. An Impact Assessment Methodology is set out in Section 1.10 of the Chapter with Section 1.11 outlining consultation undertaken. Chapter 2 provides a description of the project, the application area, construction activities and phasing which I note reflects the strategy outlined in the separate document entitled Construction Methodology and Phasing Plan. Chapter 3 deals with the alternatives examined, which I address in Section 12.2 below. Chapter 14 considers interactions and Chapter 15 provides a summary of the mitigation measures. The likely significant direct and indirect effects are considered under the following headings, after those set out in Article 3 of the Directive from Chapter 4-13 as follows:

- Population and human health
- Landscape and Visual
- Material assets – Traffic & Transportation
- Material assets – Built Services
- Land and Soils
- Water & Hydrology
- Biodiversity
- Noise and vibration
- Air Quality and climate

- Cultural Heritage

11.1.5. I am satisfied that the information contained in the EIAR has been prepared by competent experts and generally complies with article 94 of the Planning and Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014.

11.1.6. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the planning authority, prescribed bodies and observers has been set out at Sections 7, 8 & 9 of this report. The main issues raised specific to EIA can be summarised as follows:

- The increase in population resulting from the proposed development and the provision of housing typologies to facilitate the population within the area.
- The impact on existing services and facilities in the area from the increase in population.
- The effect of construction traffic on the local road network.
- The impact of the limited car parking and traffic on material assets including the local road network.
- The scale of the proposal including height and density on landscape
- The cumulative impact of the proposal with other planned developments in the area.

These issues are addressed below under the relevant headings, and as appropriate in the reasoned conclusion and recommendation including conditions.

11.1.7. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR and supplementary information provided by the developer, adequately identifies and describes the direct and indirect effects of the proposed development on the environment, and complies with article 94 of the Planning and Development Regulations 2000, as amended.

11.2. Alternatives

11.2.1. Article 5(1)(d) of the 2014 EIA Directive requires the following:

“a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, taking into account the effects of the project on the environment.”

Annex IV (Information for the EIAR) provides more detail on ‘reasonable alternatives’:

“2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.”

11.2.2. The submitted EIAR outlines the alternatives examined at Chapter 3. In relation to alternative locations it is stated that the site is zoned for regeneration and residential development is listed permissible. The site has the ability to satisfy environmental criteria comprising an appropriate site from an environmental perspective for the development of a mixed use scheme. In relation to alternative designs, the iterations of the proposed development are outlined including alternative iterations and amendments of the proposed development which evolved following the pre-planning process with SDCC and the pre-consultation process with the Board the matters arising including street hierarchy, corner treatments, removal of roundabout and the integration of the proposed local district heating system. Alternative processes are not relevant to the proposal. It is therefore considered that the issue of alternatives has been adequately addressed in the application documentation, which is to be considered by ABP as the competent authority in the EIA process.

11.3. Assessment of Likely Significant Direct and Indirect Effects

11.3.1. Population and Human Health

11.3.2. Section 4 of the EIAR is entitled population and human health. At the outset it refers to Government policy regarding housing and local policy to support same. It notes the growth in population in the Tallaght area between 2011 and 2016, with the population of the Electoral District of Tallaght - Springfield, within which the site is located, rising by 21% to 11,012. The educational facilities in the area are outlined including the sites proximity to the now TUD Tallaght complex which has c.6000

students. In terms of social infrastructure, the social infrastructure audit included with the application is referenced. It is considered that at construction stage the potential impacts relate to land use, human health, population and economic activity and local amenities which are positive or negligible with mitigation in place in respect of human health. I consider that the impacts addressed are reasonable. The operational impacts also include land use, human health, population and economic activity and local amenities with the impacts considered to be positive in respect of the development of a new urban quarter, delivery of appropriate residential units within a quality environment, the provision of a new public space and provision of new commercial uses.

11.3.3. I address the matter of unit mix above in Section 10.4 and consider given the extent of existing traditional family homes in the wider area that the proposed mix and typology is appropriate for the site particularly given its location. In relation to potential impact on schools, reference is made to the schools capacity assessment where it is outlined that capacity exists within the existing school network. Mitigation for the construction phase is outlined in what is entitled a bespoke Construction and Demolition Environmental Management Plan which addresses the considerable demolition works required on site to facilitate the development. It is stated that strict adherence to the mitigation measures will ensure no negative impacts or effects on population and human health.

11.3.4. I have considered all of the written submissions made in relation to population and human health. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of population and human health.

Landscape and Visual

11.3.5. Chapter 5 of the EIAR refers to the landscape and visual impact. The development will radically change the landscape of a large brownfield site to a new urban quarter which will extend the town centre of Tallaght northwards. The development would present a significant change in the character of the existing wider landscape. The report selects a large number of views (24), near and distant with photomontages of

each included under separate cover. The report outlines the baseline scenario which provides a site comprising a number of commercial/industrial units within the surrounding context which is itself subject to considerable change. The report outlines the construction impacts but given they are temporary they are not addressed in any significant way which I consider is reasonable. I do note that mitigation measures are proposed for the construction phase such as security fencing and site hoarding. It is the operational phase of the scheme where the significant impacts arise.

11.3.6. The scheme will have a significant impact on the landscape and visual context of the area, with a high density scheme replacing relatively low density commercial structures. A new public realm is proposed which will impact on the street edge. Mitigation measures are outlined but I would note that for the operational phase, the most significant mitigation is the quality of the design. As I outlined elsewhere in this assessment I consider the design approach and quality of the architectural response to be of high quality creating a modern urban development defining streets and providing animated street frontages. The report outlines each of the views 24 views and I would concur with the consideration of impacts for each which range from imperceptible on longer range views to significant in more localised views. The execution of the design in terms of the quality of materials and finishes for the buildings and public realm will be crucial which I note is acknowledged at Section 5.11. I would consider that the landscape and visual impact is significant and positive which I consider is reasonable for the site context, location and function.

11.3.7. I have considered all of the written submissions made in relation to Landscape and Visual. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Landscape.

Material Assets – Traffic

11.3.8. In respect of the traffic I would refer the Board to Section 10.5 above wherein I address transportation matters including parking and the impact on the road network and this section should be read in conjunction with same. I also address the matter

of construction traffic and the potential impact of same. In addition to this Chapter of the EIAR (Chapter 6) the documentation includes a Traffic Impact Assessment under separate cover and a Mobility Management Plan which complete a strategy for traffic and transportation for the site. Critical to the consideration of traffic impact is the proposal to limit the amount of available parking on site which by itself provides that the operational phase will have a limited impact on the road network. Critical to this is the effective management of spaces and streets and outlining the car parking strategy to buyers/tenants. Two key positive impacts related to material assets is the provision of the objective to create a north-south link through the site and the removal of the existing roundabout on Belgard Sq. North and its replacement with a signalised junction which will have a positive impact on pedestrian and cyclist permeability in the area. I note the potential impacts outlined for both construction and operational phases and consider they are reasonable. I would also note the mitigation measures proposed both at construction phase and those mitigation measures designed into the scheme such as the new signalised junction.

11.3.9. I have considered all of the written submissions made in relation to material assets - traffic. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of material assets - traffic.

Material Assets – Built Services

11.3.10. Chapter 7 deals with material assets building services and refers in particular to water supply, waste water infrastructure, electricity, gas and telecommunications. The report outlines the base scenario for each noting that given that the site is brownfield that significant infrastructure already exists with new connections required which may result in some disruption to facilities in the area but same would be brief and not significant. The operational phase, given the proposal provides for 438 apartments and 403 bedspaces, would increase the demand for services but each of the services outlined can be provided. Reference is also made to the potential future connection to the SDCC 'Heatnet' district heating system at a future stages which will reduce demand on the natural gas supply and reduce carbon footprint with a positive impact on climate. The effect of the development on material assets – built

services is therefore unlikely to have any significant impact on local water, wastewater, electricity gas supply or telecommunications.

11.3.11. I have considered all of the written submissions made in relation to material assets – built services. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of material assets – built services.

Land and Soils

11.3.12. Chapter 8 of the EIAR deals with land and soils and provides a very useful outline at Table 8.1 of the activities associated with the project which have the potential for impact. The table outlines the phase, activity and provides a description of same. The activities include, discharge to ground, earthworks storage of hazardous material, impact and export of materials and construction of sub-surface structures amongst others with the highest number of these activities at construction stage as would be expected from a project of the type proposed. According to the EIAR, preliminary site investigations were carried out in July and November 2017 and comprised 20 trial pits, 9 infiltration tests and 20 rotary boreholes with the details of investigations included as an appendix to EIAR. Table 8.3 provides a summary of the soils encountered on site with made ground comprising the first metre of ground below ground level. An assessment of soil contamination/waste classification was also carried out and is outlined in Table 8.4 with 98% of the soils underlying the site which may require excavation and disposal off site complying with inert and non-hazardous landfill acceptance criteria. Groundwater vulnerability beneath the subject site is stated to be low-moderate and the bedrock aquifer was not encountered during the site investigations with depth to rock greater than 15mbgl.

11.3.13. Potential pollutant linkages including sources, receptors and pathways are outlined in Section 8.4.6 and summarised in Table 8.7 which I consider outlines the context appropriately. Leading on from same the potential impacts are outlined in tabular format in Table 8-8 (referred to as Table 8.7 in section 8.6.2) and usefully outline the activity or element, describes the impacts, outlines its significance, duration in addition to the mitigation required and any residual impact. Two

significant impacts are raised which relate to the potential for leaks or spillage of liquids on site and potential contaminated run-off percolating to ground water. The mitigation proposed provides that the residual impact would be imperceptible. The measures outlined would comprise good construction practice. The operational phase is not predicted to impact on land or soils and therefore no mitigation is proposed. I consider that the development would alter the use of the land from brownfield to a new urban quarter with associated open spaces with short term impacts during the construction phase addressed with suitable mitigation measures.

11.3.14. I have considered all of the written submissions made in relation to land and soils. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of land and soils.

Water & Hydrology

11.3.15. Chapter 9 of the EIAR deals with water and hydrology. It states that the information on water for the subject lands was assembled from sources including site investigation report, GSI maps and databases, CFRAMS flood mapping from OPW and EPA maps. A site specific flood risk assessment has also been submitted for the proposal which I note states that the site is located within Flood Zone C. It is noted that given the existing development on the site that there is significant existing surface water drainage infrastructure which are to be decommissioned and removed. It is also stated that all surface water infrastructure and SuDS features proposed for Phase 2 of the development will discharge to the spine drainage network proposed as part of the subject development (Phase 1). The proposal seeks to improve water quality and reduce water quantity discharging from the site by incorporating a range of SuDS measures into the design. The baseline study outlines that there are no pre-existing natural waterbodies on site nor are there any significant rivers or streams nearby. Existing site surface water discharges un-attenuated and untreated to the public network with the locations of same outlined in Figure 9.1.

11.3.16. The EIAR states that it is not envisaged that the proposal will result in any significant long-term effects on water and hydrology with some minor impact by way

of temporary disruption during the construction phase. Demolition and Construction Phase impacts are outlined with the principle concerns relating to the contamination of groundwater or soils which it is proposed to mitigate against by best practice methods as outlined. It is noted that the operational phase will have a positive impact on surface water as the site strategy provides for a reduction in flow rate through the provision of SuDS measures. I consider that the matter has been appropriately addressed with an overall improvement in surface water management.

11.3.17. I have considered all of the written submissions made in relation to water and hydrology. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of water and hydrology.

Biodiversity

11.3.18. Chapter 10 of the EIAR refers to biodiversity. I would also refer the Board to Section 10.9 above where the matter of appropriate assessment screening is addressed. The habitat plan for the site is outlined in Figure 10-7 and in addition to the building and artificial surfaces includes, amenity grassland scrub, scattered trees and parkland and treelines. Bird species included woodpigeon, blue tit, robin and starling amongst others. No invasive plant or animal species were observed. Appendix 10.1 of the EIAR includes a bat survey (September 2017) which did not record bat species emerging from built structures. It notes that common pipistrelle activity was recorded within the lands along the linear features and assumed to be foraging.

11.3.19. It is stated that the current species diversity on site is poor with the majority of the site built upon with little biodiversity value. In relation to construction phase, the distance of the site from any designated sites coupled with the absence of any pathway provides that no impact is foreseen. Potential impact on terrestrial ecology is considered neutral slight to moderate with mitigation proposed for bats noting that the landscaping proposed includes planting of semi-mature trees around the perimeter of the site which will assist in rapid reinstatement of foraging/commuting habitat. The operational phase of the proposal is considered to provide for an

improvement to the biodiversity value of the site with the proposal having a permanent positive impact. Furthermore, as outlined above, the proposed development would not be likely to have any significant effect on species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC.

11.3.20. I have considered all of the written submissions made in relation to biodiversity. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of biodiversity.

Noise and Vibration

11.3.21. The EIAR assessment of noise impacts has been determined by conducting site noise survey (monitoring location and noise sensitive receptors outlined in Figure 11-4) and SDCC updated noise maps for 2012 base year which are noted as being strategic noise maps. Potential noise impacts during the stated 3 year period of the construction phase relate to site works and construction machinery. The nearest dwelling receptors are across the Belgard Road with the land use in the vicinity primarily commercial and industrial. Predicted construction noise levels for the sensitive receptors are outlined in Table 11-7 with the report noting that the description of effects outlined are a conservative assumption and that in reality that noise levels will be significantly lower than predicted. Mitigation measures for the construction phase are outlined in Section 11.7.1 and are considered to represent best practice construction methodology. I would also recommend that, if the Board are minded to grant permission, a condition relating to working hours is included. The operational phase noise would be related to traffic with the predicted noise levels along Belgard Square North and Belgard Road outlined. Mitigation is proposed at Section 11.7.2 and includes insulation and noise reduction for buildings. No adverse noise impact on the local population or on human health is predicted and I note that monitoring of construction noise is set out.

11.3.22. I have considered all of the written submissions made in relation to noise and vibration. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed

mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise or vibration.

Air Quality and Climate

11.3.23. Chapter 12 deals with Air Quality and Climate and notes that the occupation of the development would give rise to emissions to air from traffic and heating. Construction emissions are predicted to include the enabling works including demolition/site clearance including emissions of dust and construction related traffic with a detailed dust assessment outlined which notes that even in the absence of mitigation that the risk to human and ecological receptors is low. I would note in this regard that the site is at a remove from existing residential development. Construction related emissions are, therefore, not likely to have significant impact on the quality of air or the climate. The occupation of the proposed development is not likely to have any significant impact on the climate which as outlined elsewhere in the report would be assisted by the coming into operation of the Heatnet district heating system which would serve the site. Furthermore, the limited parking available on site will promote public transport use. The location of the site in such close proximity to the town centre and TUD also facilitate walking to same. Traffic pollutants are outlined in detail in Section 12.7.2. Mitigation measures in this regard are set out in section 12.9 of the EIAR for the construction phase which represent good practice for construction and are likely to be effective. Section 12.10 outlines that no mitigation is required for the operational phase. Residual impacts and monitoring are also outlined which I consider provide a reasonable consideration with a monitoring programme providing for the ongoing consideration of air quality and climate. The construction and occupation/operation of the development is therefore unlikely to have a significant effect on air or the climate.

11.3.24. I have considered all of the written submissions made in relation to air quality and climate. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of air quality and climate.

Cultural Heritage

11.3.25. Cultural heritage is addressed in detail in Chapter 13 of the EIAR. The report references the desk based study of existing records and sources which are outlined. Targeted archaeological test investigation was undertaken in October 2017 in the northwestern quadrant of the site which had previously been identified as an area of archaeological potential in a desktop assessment and undertaken to establish whether any evidence remained of the curvilinear field boundary noted on OS maps with the evidence uncovered described as scant. I would note that this area is located outside the proposed development area of Phase 1. Table 12-1 outlines the recorded monuments within a 1km radius of the site with two protected structures within 500m with the site 253m northwest of the Tallaght Village ACA. The history of the area and the site are outlined describing a myriad of uses over time with parts of the site previously part of the Glebe House demesne, RAF aerodrome and Urneys Chocolate Factory, none of which survive. In relation to potential impacts at construction phase provides the potential direct impact on an architectural heritage site, Glebe House, and possible subsurface remains of two industrial heritage sites, RAF aerodrome (1917-1919) which was subsequently occupied by Urneys Chocolate Factory (1924-1980). Table 13.10 outlines the impacts on each with the potential for significant impact, with mitigation proposed by way of monitoring of removal of ground slab and any sub-surface excavation works. I consider that if the Board are minded to grant permission that a monitoring condition is attached. The operational phase is not considered to have any significant impacts which I consider is reasonable given the nature of construction proposed.

11.3.26. I have considered all of the written submissions made in relation to cultural heritage. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of cultural heritage.

Interactions between Environmental Factors

11.3.27. Section 14 of the EIAR deals with the interactions between environmental factors. The primary interactions are summarised in the EIAR under construction phase and operational phase as follows:

- Population and human health is considered at construction phase with several factors having the potential for significant impacts on human health including material assets – traffic, land & soils, water & hydrology, noise and vibration and air & climate.
- Population and human health is considered at operational phase with potential interactions with landscape, material assets – traffic, land & soils, water & hydrology, noise and vibration and air & climate.
- It is stated that with the relevant mitigation measures in place that no significant residual negative impacts on human health are predicted.
- Landscape and visual is considered at construction phase with several factors having the potential for significant impacts on landscape and visual including land & soils, biodiversity and cultural heritage.
- Landscape and Visual is considered at operational phase with potential interactions with land & soils, biodiversity and cultural heritage.
- It is stated that with the relevant mitigation measures in place that no significant residual negative impacts on landscape and visual are predicted.
- Material assets – traffic is considered at construction phase with several factors having the potential for significant impacts on material assets – traffic including noise and vibration and air quality and climate.
- Material assets – traffic is considered at operational phase with potential interactions with noise and vibration and air quality and climate.
- It is stated that with the relevant mitigation measures in place that no significant residual negative impacts on material assets - traffic are predicted.
- Material assets – built services is considered at construction phase with several factors having the potential for significant impacts on material assets – built services including water & hydrology and air quality and climate.

- Material assets – built services is considered at operational phase with potential interactions with water & hydrology and air quality and climate.
- It is stated that with the relevant mitigation measures in place that no significant residual negative impacts on material assets – built services are predicted.
- Land & Soils is considered at construction phase with several factors having the potential for significant impacts on material assets – built services including water & hydrology and biodiversity.
- No potential operational interactions were identified.
- It is stated that with the relevant mitigation measures in place that no significant residual negative impacts on land and soils are predicted.
- Water & Hydrology is considered at construction phase with several factors having the potential for significant impacts on biodiversity.
- No potential operational interactions were identified.
- It is stated that with the relevant mitigation measures in place that no significant residual negative impacts on water and hydrology are predicted.
- The corollary of the interactions above are also considered with no significant residual negative impacts identified.

11.3.28. The various interactions have been properly described in the EIAR and have been considered in the course of this EIA.

11.4. Reasoned Conclusion on the Significant Effects

11.4.1. Having regard to the examination of environmental information set out above, to the EIAR and other information provided by the developer, and to the submissions from the planning authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Significant direct positive effects with regard to population and material assets due to the increase in the housing stock that it would make available in Dublin.
- A significant direct effect on land and the landscape by the change in the use and appearance from a series of brownfield sites to a primarily residential

development. Given the location of the site within the built up metropolitan area of Dublin and the public need for housing there, this effect would not have a significant negative impact on the environment.

- Potential effects on the road network during the construction phase will be mitigated by appropriate construction site management measures as outlined in the EIAR and the Construction Methodology and Phasing Management Plan.
- Potential effects on the road network during the operational phase will be mitigated by appropriate the low provision of car parking spaces reducing trip generation and the provision of a car park management plan and Mobility Management Plan.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate management measures.
- Potential effects on air during construction which will be mitigated by a dust management plan including a monitoring programme.

11.4.2. The proposed development is not likely to have significant adverse effects on human health, biodiversity or soil.

11.4.3. The likely significant environmental effects arising as a consequence of the proposed development have therefore been satisfactorily identified, described and assessed. They would not require or justify refusing permission for the proposed development or requiring substantial amendments to it.

12.0 Recommendation

12.1. Having regard to the assessment outlined in the preceding sections, I recommend that section 9(4)(c) of the Act of 2016 be applied and that permission is GRANTED for the development as proposed for the reasons and considerations and subject to the conditions set out below.

13.0 Reasons and Considerations

Having regard to the:

- a) the policies and objectives in the South Dublin County Development Plan 2016-2022;
- b) Rebuilding Ireland Action Plan for Housing and Homelessness;
- c) the provisions of the Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May, 2009, the Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government in March, 2018, the Urban Development and Building Height Guidelines issued by the Department of the Environment, Community and Local Government in December 2018 and the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March, 2013.
- d) nature, scale and design of the proposed development and the availability in the area of a wide range of social and transport infrastructure including the Luas;
- e) pattern of existing and permitted development in the area, and
- f) submissions and observations received,

It is considered that, subject to compliance with the conditions set out below that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in

accordance with the agreed particulars.

In default of agreement, the matter(s) in dispute shall be referred to An Board Pleanala for determination.

Reason: In the interest of clarity.

2. The mitigation and monitoring measures outlined in section 15 of the Environmental Impact Assessment Report submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: To protect the environment.

3. The period during which the development hereby permitted may be carried out shall be seven years from the date of this order.

Reason: Having regard to the nature of the development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.

4. The proposed development shall be amended as follows:

(a) The bicycle parking structures proposed within the courtyards Blocks A1/A2 and A2/A3 shall be omitted and revised plans for the treatment of these open spaces shall be submitted.

(b) The proposed material on the upper two floors of Block B2 shall be amended with a revised proposal submitted to the planning authority.

(c) Alternative details for the external clip of the balcony design and revisions to the parapet detail and capping.

(d) Windows to the proposed community/function/amenity spaces at the ground floor of Blocks A shall not be obscured by any means.

(e) A plan for the management of the community/function rooms and the facilitation of the use of these spaces by non-residents shall be submitted.

Revised drawings showing compliance with these requirements shall be

submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

5. Block B2 of the proposed development hereby permitted shall only be occupied as student accommodation, including use as visitor or tourist accommodation outside academic term times, and for no other purpose, without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

6. The use of the proposed retail/commercial units shall be restricted to uses which fall within Class 1, Class 2 and Class 10 of Part 4 of Schedule 2 of the Planning and Development Regulations, 2001 as amended and shall exclude use as abetting office, take-away or stand-alone off-licence. Any other use shall require a separate grant of permission.

Reason: In the interest of proper planning and orderly development.

7. The live work units shall be retained as single entities and shall not be subdivided without a prior grant of planning permission.

Reason: In the interest of proper planning and orderly development.

8. Details and samples of the materials, colours and textures of all the external finishes to the proposed development including pavement finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

9. Roads & Pedestrian/Cycle Requirements

Prior to the commencement of development, or unless otherwise stated, the following details shall be submitted for the written agreement of the Planning Authority:

- (a) The developer liaise with NTA in respect of works required in respect of the Bus Connects project prior to the commencement of development.
- (b) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths.
- (c) Design and signal timings of all signalised pedestrian crossings shall be agreed prior to commencement of development.
- (d) Details of the proposed toucan crossing on Belgard Road to the north of the Belgard Road/Belgard Square /IT Tallaght roundabout which will provide access from the development to IT Tallaght shall be agreed.
- (e) A taking in charge plan shall be agreed and the areas to be taken in charge shall be undertaken to a taking in charge standard,
- (f) minimum of 10% of car parking spaces to be provided within the development shall make provision for the charging of electric vehicles
- (g) Mobility Management Plan to be submitted within six months of opening of the proposed development
- (h) A management plan for the proposed car parking spaces shall be agreed prior to the occupation of the development.
- (i)The proposed pedestrian and cycle network shall comply with the requirements of the National Cycle Manual.
- (j) Public Lighting Plan shall be submitted to and agreed in writing prior to commencement of development.
- (k) Details of materials and surfaces for roads and pathways and all items to be taken in charge shall be submitted to and agreed in writing prior to commencement of development.

Reason: In the interests of traffic, cyclist and pedestrian safety.

10. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

11. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

12. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

13. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.

(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

14. Prior to commencement of development, the developer shall submit: (a) evidence of the agreement from the Irish Aviation Authority to the crane operations proposed for the site and aviation lights proposed during the construction phase. (b) engagement with Tallaght Hospital to ensure operators of the Helipad facility are aware of proposal and that safety of aircraft operations into and out of facility are not adversely impacted (c) engagement with the Property Services Section of Department of Defence to ensure that there is no impact to safety of aircraft operations at Casement Aerodrome during and post construction.

Reason: In the interest of public safety.

15. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

16. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior

written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

17. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

18. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

19. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan and Programme of Works, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of public safety and residential amenity.

20. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for

construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of public safety and residential amenity.

21. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and

the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

Una Crosse

Senior Planning Inspector

April 2019